

Eligibility Checklist

Wasatch Brownfields Coalition - Revolving Loan Fund



Eligible Entities

Loans

- Be an “eligible entity” as defined by CERCLA § 104(k)(1);
- Own redevelopment site at time of application;
- Not responsible for site contamination;
- Have clean history of environmental conduct; and
- Be authorized to incur debt and enter into legally binding agreements.

Sub-grants

- Be public **OR** non-profit entity;
- Own redevelopment site at time of application;
- Not responsible for site contamination; and
- Have clean history of environmental conduct.

Eligible Sites

- Meet definition of brownfield as defined in CERCLA § 101(39)(A) and not excluded under CERCLA § 101(39)(B). This may include:
 - Sites where there is a presence or potential presence of contamination by a hazardous substance as defined in CERCLA § 101(14) or a pollutant or contaminant as defined in CERCLA § 101(33);
 - Sites contaminated by petroleum or a petroleum product (additional analysis required);
 - Sites contaminated by controlled substances; and
 - Mine-scarred lands.

For petroleum contaminated sites

- The site is of “relatively low risk”;
- There is no viable responsible party;
- The site will not be assessed, investigated or cleaned up by a person that is potentially liable for cleaning up the site;
- The site is not subject to a corrective action order under § 9003(h) of the Solid Waste Disposal Act.

Sites that do not meet the definitions above may be deemed eligible after a property-specific determination conducted by the EPA.

Ineligible Sites

- Sites listed, or proposed for listing, on the National Priorities List (NPL);
- Sites subject to a unilateral administrative order, a court order, an administrative order on consent or judicial consent decree issued or entered into by parties under CERCLA; and
- Sites subject to the jurisdiction, custody, or control of the U.S. government, except for land held in trust by the U.S. for an Indian tribe.