



NOTICE OF CONTAMINATION IN RIGHT OF WAY

State Form 57234 (3-23)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Send completed form to:
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Land Quality
institutionalcontrols@idem.in.gov
ATTN: Institutional Controls Group
AND
INDIANA DEPARTMENT OF TRANSPORTATION
ESD.SAM@indot.in.gov
ATTN: SAM Team Lead

PURPOSE: Provides notice that contaminated soil and/or groundwater is present in the Right of Way because of a release of contamination to the environment from an IDEM reported incident. This information will be used by the roadway's managing authority to consider worker safety and proper management practices during future construction activities.

INSTRUCTIONS: Send completed Notice of Contamination in Right of Way form to both IDEM and INDOT (contact information provided above). The person completing this form may be the property owner or any individual authorized by the property owner to act as their delegate or agent. For local roads (county and municipal), send an **additional** copy of this form directly to the managing authority. Use links at [IDEM: Environmental Cleanups: Institutional Controls](#) to determine if a road is owned by an entity other than INDOT and to find additional supporting information to assist with completing this form. You are responsible for identifying the managing authority.

SECTION I: SITE INFORMATION

Name of Site		County
Address of Site (number and street)		
City	State Indiana	ZIP / Postal Code
Affected INDOT and/or Locally Owned Road	Agency Interest Number (AI ID)	Facility Identification Number (UST FID)
IDEM Remediation Program Choose an item.	Remediation Program Incident Number	Date Incident Reported

SECTION II: PROPERTY OWNER INFORMATION

Property Owner		
Address of Property Owner (number and street)		
City	State	ZIP / Postal Code
Telephone Number	E-mail Address	
Date ERC recorded (month, day, year)	Instrument Number	VFC Number

To view the ERC in its entirety, visit IDEM's Virtual File Cabinet at [IDEM: Environmental Cleanups: Institutional Controls](#).

ADVISORY STATEMENT

IDEM's Uncontaminated Soil Nonrule Policy Document (NPD) (WASTE-0064-NPD) should be used when determining whether it is appropriate to re-use excavated soil in a construction project. Refer to the most current version of the Nonrule Policy Document at the Effective Nonrule Policies webpage ([IDEM: Environmental Cleanups: Institutional Controls](#)) to determine the appropriate criteria to evaluate soil containing detectable levels of human introduced chemicals and the proper management of such soils.

SECTION III. CONTAMINANT SUMMARY TABLES

The purpose of the analytical tables is to ensure that the contaminants in the ROW are identified. This information can be provided by either referencing an already submitted report, such as the last Quarterly Monitoring Report (QMR) (VFC document number # _____) or ensuring that the tables are attached to this document. Please check the Yes, No, or N/A boxes to declare that this information is/is not included.

A	Soil Analytical Table (Select: <input type="checkbox"/> Petroleum <input type="checkbox"/> Chlorinated Solvents <input type="checkbox"/> Metals <input type="checkbox"/> Other: _____)
	Most recent soil samples compared to IDEM's current risk-based policy, residential, industrial, and excavation worker direct contact soil levels
	Depth of soil impacts remaining on the Site and in the vicinity of the residual contamination extending into/beneath the ROW

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

If a soil table with this information has already been submitted to IDEM, provide the associated VFC # _____	
B	Groundwater Analytical Table (<i>Select:</i> <input type="checkbox"/> Petroleum <input type="checkbox"/> Chlorinated Solvents <input type="checkbox"/> Metals <input type="checkbox"/> Other: _____)
	Most recent four quarters compared to IDEM's current risk-based policy for drinking water standards <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	Include depth to groundwater from the monitoring wells on the Site and in the vicinity of the residual contamination extending into/beneath the ROW <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

If a groundwater table with this information has already been submitted to IDEM, provide the associated VFC # _____

SECTION IV. FIGURES

The purpose of the Site figures is to ensure that the location of contaminants in the ROW is depicted. This information can be provided by either referencing an already submitted report, such as the latest Quarterly Monitoring Report (QMR) (VFC document number # _____) or ensuring that the tables are attached to this document. Please check the Yes, No, or N/A boxes to declare that this information is or is not included/applicable.

A	Site Figure
	Roadways depicted <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	Utility corridors depicted <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

If a Site figure with this information has already been submitted to IDEM, provide the associated VFC # _____

B	Soil Figure - Location of residual soil impacts (on-site and extending into/beneath the ROW)
	Most recent analytical data included (data boxes or isopleth lines showing extent and concentration level) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	Inferred plume extents <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

If a soil figure with this information has already been submitted to IDEM, provide the associated VFC # _____

C	Groundwater Figure - Location of residual groundwater impacts (on-site and extending into/beneath the ROW)
	Most recent analytical data included (data boxes or isopleth lines showing extent and concentration level) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	Inferred plume extents <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

If a groundwater figure with this information has already been submitted to IDEM, provide the associated VFC # _____

SECTION V. PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE

A	Date (month, day, year)	
B	Name (print or type)	Title
	Telephone Number	E-mail Address

CERTIFICATION STATEMENT (Please sign in box below.)

I swear or affirm that I have the authority to complete and submit this Notice of Contamination in Right of Way as the Site owner or as a Site representative authorized by the site owner. I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10, that the statements and representations in this Notice of Contamination in Right of Way and any attachments are true, accurate, and complete.

Signature: _____ Date (month, day, year): _____