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Requirements for Eligibility to the Petroleum Storage Tank Fund (Fund) for Non-Responsible Parties (Per 8-20.5-206(3))

1. To be eligible to the Fund as an Abandoned Tank Owner, Property Owner or Lender the Applicant must meet all criteria marked with an X beneath the appropriate category.
2. Eligibility to the Fund for the categories in the table below provides reimbursement of allowable costs without a \$10,000 or 25,000 deductible.
3. In certain situations an applicant, who is determined eligible to the Fund as a non-responsible party, may be required to comply with the Petroleum Storage Tank Regulations and may be subject to percent reductions on reimbursement from the Fund for non-compliance.
4. Eligibility to the Fund can be transferred to any subsequent owner other than the tank owner.
5. Eligible applicants in these categories may request State Lead Clean Up.

	Abandoned Tank Owner	Property Owner	Lender <9/30/95	Lender >9/30/95
Current or former owner acquired property prior to 6/3/92.		X		
Applicant did not install tanks.	X	X		
Applicant never operated tanks.	X	X		
Applicant never leased tanks.	X	X		
Applicant had no knowledge a release had occurred when the property was acquired.	X	X		
Contamination was discovered after 12/22/88.	X	X		
Contamination originated from a petroleum storage tank on site.*		X	X	X
Contamination originated from an abandoned tank on site.**	X			
Applicant had no knowledge of the abandoned tank existence when the property was acquired	X			
Original loan date <9/30/95			X	
Lender has no relationship, financial or otherwise w/lendee.			X	X
Property acquired through foreclosure			X	X
Certificate of Eligibility*** is obtained after the loan date but prior to contamination discovery date				X

*If the tanks are no longer present on site the applicant must have evidence of their previous existence.

**Discovery of contamination must occur during applicants property ownership.

***Certificates of Eligibility are granted to lenders providing loans to tank owners, where the original loan date is after 9/30/95 and they have performed and passed a tightness test on the system **or** they perform a site assessment, submit the results to OPS and receive a No Further Action Letter.

Note: This table and summary are provided for informational purposes only. Even if a potential applicant meets all criteria for an eligibility category as indicated by this table does not guarantee eligibility to the Fund. Eligibility determinations are made on a case by case basis in consideration of all facts related to that particular case.