



**SOUTHERN WINDSOR COUNTY
REGIONAL PLANNING COMMISSION**

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Southern Windsor County Brownfields Revolving Loan Fund ELIGIBILITY APPLICATION (BRLF-A)

The Southern Windsor County Brownfields Cleanup Revolving Loan Fund provides below market rate loans to facilitate cleanup of contaminated properties (brownfields) in the towns of the Southern Windsor County Regional Planning Commission (SWCRPC) service area. The purpose of this program is to assist in the revitalization of these properties to promote jobs and a cleaner environment for the communities in the SWCRPC Region. Loan funds are available to public, private and nonprofit owners who comply with the eligibility requirements of the Environmental Protection Agency; subgrants are available to eligible municipalities and nonprofit owners of brownfield properties.

Property owners or prospective purchasers of brownfield properties must fill out this form to determine whether the property is eligible to receive EPA funds. Once EPA approval has been granted to a site, the applicant will be notified and should then fill out Part B of the application form and submit other required documents.

For this part of the application, please submit:

- One signed and complete Eligibility Application
- Supporting information (ASTM Phase I or equivalent, DEC approved Corrective Action Plan)

Part B of the application will include a business plan, a personal financial statement and an approved Remedial Action Plan for the brownfield property.

A. BACKGROUND INFORMATION

Grant Recipient: _____

Person Who Filled out this Form: _____

Property Name: _____

Property Address: _____

Owner of Property: _____

From whom was the property acquired: _____

Date of Acquisition: _____

B. ALL APPROPRIATE INQUIRY

Please describe any inquiry into previous ownership and uses of the facility conducted PRIOR TO PURCHASING the property.

Please describe in detail:

- the types of site assessments performed (i.e ASTM Phase 1),
- who performed the assessments AND
- who reviewed the assessments on behalf of the applicant:

If owned by a municipality, how was it acquired?

- Foreclosure Donation Eminent Domain Bought it outright Other

Explain: _____

Describe the operational history of the site. Identify how and when, to the extent possible, the site became contaminated: _____

Describe, to the extent possible, the nature and extent of contamination: _____

C. AFFILIATION

Please identify any known parties who may be considered potentially liable for the contamination on the site:

Please describe any family or financial relationship that you have with potentially liable parties at the site:

Identify known on-going or anticipated environmental enforcement actions related to the site:

Describe the steps that have been taken with regard to contamination at the site:

Did the applicant cause or contribute to the contamination at this property? YES NO

Did they generate or transport any waste brought to the site? YES NO

D. CONTINUING OBLIGATIONS

Are there any land use restrictions and institutional controls on the property due to existing contamination?

YES NO

Please describe the appropriate care that has been exercised with respect to hazardous substances found at the facility. What REASONABLE STEPS have you taken to:

- stop any continuing releases,
- prevent any threatened future release,
- prevent or limit exposure to any previously released hazardous substance

Please note that reasonable steps may include actions such as limiting access to the property, monitoring known contaminants, and complying with state and/or local requirements.

Are you committed to assisting and cooperating with those performing the cleanup and to providing access to the property? YES NO

Are you committed to complying with all information requests and administrative subpoenas that have or may be issued in connection with the property? YES NO

E. PROPERTY SPECIFIC DETERMINATION

Certain properties cannot be approved without a "Property Specific Determination". Please answer the following questions to the best of your knowledge:

1. Is your site/facility subject to a planned or **ongoing** CERCLA removal action? YES NO

2. Has your site/facility been issued a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)? YES NO
3. Is your site/facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h))? YES NO
4. Is your site/facility a land disposal unit that has submitted a RCRA closure notification under subtitle C of RCRA or is subject to closure requirements specified in a closure plan or permit? YES NO
5. Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA? YES NO
6. Has your site/facility received funding for remediation from the leaking Underground Storage Tank (LUST) Trust Fund? YES NO

F. PETROLEUM SITES

1. Is the site the location (or former location) of an underground storage tank for petroleum or fuel oil? YES NO
2. If yes, is the remediation/redevelopment project eligible for the Vermont Petroleum Cleanup Fund? YES NO
3. Provide information regarding whether any party can be identified that is subject to either:
 - (a) a judgement rendered in a court of law or an administrative order issued by an administrative body that would require that party to assess, investigate, or cleanup the site; or
 - (b) a filed enforcement action brought by federal or state authorities, or is party to a citizen suit, that would, if successful, require that party to assess, investigate, or clean up the site;

4. Provide information regarding whether the party having such legal obligations has adequate financial resources to meet the obligation;

5. Provide information regarding whether the prospective borrower caused or contributed to the petroleum contaminated located on the site.

G. SITES NOT ELIGIBLE FOR FUNDING AND NOT ELIGIBLE FOR A PROPERTY-SPECIFIC DETERMINATION

Please answer the following questions to the best of your knowledge:

1. Is your facility listed (or proposed for listing) on the National Priorities List? YES NO
2. Is your facility subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA? YES NO

3. Is your facility subject to the jurisdiction, custody, or control the US government. (Land held in trust by the US government for an Indian tribe is eligible.) YES NO

Note: If you answered YES to any of the above (G.1-3) your property is not eligible.

H. CERTIFICATION

The undersigned hereby represents and certifies to the best of his/her knowledge and belief that the information contained in the forgoing statement and exhibits and attachments hereto is true and complete and accurately describes the proposed project. The undersigned further agrees to promptly inform the RPC of any changes in the proposed project which may occur. The undersigned agrees that acceptance of any form of financial assistance from the RPC constitutes agreement to include the RPC in any public relations events or materials related to the project, and to cooperate with and permit the RPC to publicize its involvement for marketing and public relation purposes including, but not limited to: signage, press releases, public events, and promotional materials.

To the best of my knowledge, the data and information which I have submitted to obtain SWCBRLF financing from the Southern Windsor County Regional Planning Commission are true and correct.

Borrower/Applicant _____.

Signature _____ Date: _____.

Comment Space for Project Officer:

Approval is is not granted for revolving loan funds at the above-described property:

Project Officer

Date: