

**Mount Ascutney Regional Brownfields Revolving Loan Fund
CLEAN-UP ELIGIBILITY DETERMINATION (form 12/2023)**

Grant Number:

Project Name:

Loan

Sub-grant

Proposed Amount:

The Mount Ascutney Regional Commissiona Brownfields Cleanup Revolving Loan Fund provides below market rate loans to facilitate cleanup of contaminated properties (brownfields) in the towns of the Mount Ascutney Regional Commission (MARC) 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 MARC 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

1. Date: _____

2. Grant recipient: _____

3. Person providing information: _____

4. Property/site name: _____

5. Property address: _____

- 6. Current property owner: _____
- 7. From whom was the property acquired: _____
- 8. Date of acquisition: _____
- 7. Borrower/Subgrantee applicant name: _____
- 8. Borrower/Subgrantee applicant address: _____

B. PROPERTY OWNERSHIP ELIGIBILITY and ALL APPROPRIATE INQUIRY

If a pre-purchase inquiry was performed, please describe below any inquiry into previous ownership and uses of the facility conducted PRIOR TO PURCHASING the property.

- 1. Please include the following in the fields below:
 - 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:

ESA Type:	Conducted by:	Report Date:	Reviewed by:
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

ESA Type:	Conducted by:	Report Date:	Reviewed by:
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Other Inquiry or Explanation: _____

- 2. If owned by a municipality, how was it acquired?
 Foreclosure Donation Eminent Domain Bought outright Other

Explain: _____

- 3. Describe the operational history and current use of the site: _____
- 4. Identify how and when, to the extent possible, the site became contaminated:
- 5. Describe, to the extent possible, the nature and extent of contamination:
 - Hazardous Substances Petroleum Co-Mingled
 Describe: _____
- 6. Describe, briefly, the proposed clean-up plan, to the extent possible: _____
- 7. Describe, briefly, the proposed redevelopment or reuse of this site: _____

C. AFFILIATION

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

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

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

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

5. Did the applicant cause or contribute to any releases of hazardous substances at this property?
 YES NO
6. Did the applicant ever arrange for the disposal of hazardous substance at the site or generate or transport any hazardous substances to or from the site? YES NO
7. Did disposal of all hazardous substances at the site occur before the applicant acquired the property?
 YES NO

D. CONTINUING OBLIGATIONS

1. Are there any land use restrictions and institutional controls on the property due to existing contamination?
 YES NO
2. Please describe the appropriate care that has been exercised with respect to hazardous substances found at the facility. Describe in the field below 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

Describe: _____

(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.)

3. Are you committed to assisting and cooperating with those performing the cleanup and to providing access to the property? YES NO
4. 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 Explain: _____
2. If yes, is the remediation/redevelopment project eligible for the Vermont Petroleum Cleanup Fund?
 YES NO Explain: _____
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:
Explain: _____
4. Provide information regarding whether the party having such legal obligations has adequate financial resources to meet the obligation
Explain: _____
5. Provide information regarding whether the prospective borrower caused or contributed to the petroleum contaminated located on the site
Explain: _____

G. SITES NOT ELIGIBLE FOR FUNDING OR 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. NATIONAL HISTORIC PRESERVATION ACT (NHPA) COMPLIANCE

1. Is your site currently listed in the National Register of Historic Places and/or is it a designated National Landmark? YES NO
2. Is your site eligible to be listed in the National Register of Historic Places? YES NO
3. Is your site part of a designated Historic District? YES NO
4. Will your project impact the viewshed of any adjacent or surrounding designated Historic Districts or registered historic structures? YES NO
5. Does your project have the potential to impact archaeological resources? YES NO

Note: In order to support your response to items 1 – 5 above, please provide any and all documentation from the Federal Government and/or State Historic Preservation Officer (SHPO). (i.e., SHPO Determination Letter which you may obtain independent of the EPA or this RLF Loan/Subgrant process.)

I. 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 MARCRLF financing from the Mount Ascutney Regional Commission are true and correct.

Borrower/Applicant _____.

Signature _____ Date: _____.

Comment Space for Project Officer:

The above-described property and applicant, is eligible for a RLF loan/subgrant: YES NO

Project Officer

Date: