



**VERMONT BROWNFIELDS REVITALIZATION FUND
APPLICATION FOR FUNDING**

Funding from EPA has allowed the State of Vermont to establish the RLF and return contaminated properties to productive use. The Vermont Brownfields Revolving Loan Fund can assist municipalities, non-profits and private for-profit entities finance brownfield remediation activities. Pending availability and eligibility, funding may be subgranted to municipalities or non-profits and may be loaned to for-profit entities. Before funding a project Agency of Commerce and Community Development staff will determine eligibility by confirming the applicant meets the program requirements.

Applicant Information:

1. Name of Borrower/Subgrantee Applicant: _____
2. Applicant Mailing Address: _____
3. Principal Place of Business (if different): _____
4. Federal ID: _____
5. Applicant DUNS#: _____
6. Applicant DUNS Registered Name: _____
7. Applicant Fiscal Year End Month: _____
8. Applicant Contact person:
 - Name: _____
 - Title: _____
 - Email: _____
 - Phone: _____

Attach a completed W-9 and a Certificate of Insurance that meets the requirements of the State of Vermont Attachment C Standard State Provisions.

Compliance Questions:

9. Does the organization use a manual, automated or combination accounting system? _____
10. Is this the applicants first time applying for/receiving an award? _____
11. If no, did the organization adhere to all terms and conditions of prior award(s)? _____
12. Does the organization have adequate staff to comply with the terms of the grant? _____
13. Does the organization have experience with similar programs? _____
14. Does the organization maintain documented policies and procedures that will ensure compliance with the terms of the award? _____
15. Does the organization have an accounting system that will allow them to completely and accurately track the receipt and disbursements of funds related to the award? _____
16. If staff will be required to track their time associated with the award, does the organization have a system in place that will account for 100% of each employee’s time? _____
17. Did the organization have one or more audit findings in their last Single Audit regarding program non-compliance? _____
18. Did the organization have one or more audit findings in their last Single Audit regarding a significant internal control deficiency? _____

General Grant Information:

- 19. DEC Project Manager: _____
- 20. Site Name and Number: _____
- 21. Site Address: _____
- 22. Is the Site enrolled in BRELLA? _____
- 23. Site Acreage: _____
- 24. Site Description: _____
- 25. Relationship of the Applicant to the site: _____
- 26. Current Property Owner (if different from applicant)
 - Name: _____
 - Title: _____
 - Email: _____
 - Phone: _____
- 27. Type of Funding Applying for: Loan: \$ _____ Subgrant: \$ _____
- 28. Hazardous Materials: \$ _____ Petroleum \$ _____
- 29. Match Amount (funds spent on remediation work less the RLF funding request): \$ _____
Match Funding Source: _____
- 30. Proposed Leveraged Amount (total project budget amount less the RLF funding request):
\$ _____
Funding Sources: _____

Project Summary:

- 31. Describe the history of the site:

- 32. Purpose of the loan/subgrant:

- 33. Describe the activities to be conducted with RLF funds:

- 34. Describe the proposed project to be constructed on the remediated site:

35. Describe how the proposed project will identify and reduce threats to human health and the environment that may be associated with exposure to hazardous materials, pollutants or contaminants:

36. Describe how the proposed project will facilitate the use or reuse of existing infrastructure:

37. Describe how the proposed project has the potential to stimulate economic development and create new jobs:

38. Describe the extent to which the proposed project will respond to the housing needs of the community:

39. Describe the extent to which the proposed project will facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property or other property used for nonprofit purposes if applicable:

40. Describe the conformance to local zoning and the level of participation by a local community in the process of making decisions relating to remediation and future use of the brownfield site:

41. Provide a project timetable:

42. Include copies of all environmental assessment reports generated for the site. If the site reports have been previously submitted to the Vermont Brownfields Program, provide a summary and the dates the reports were submitted:

43. Provide the approval status of the corrective action plan for the site by the Agency of Natural Resources:

Attach a site map(s) showing the location of and areas affected by the proposed project.

The applicant certifies the site meets all of the following requirements for project grant funds:

- A.** The applicant is an eligible entity under CERCLA §104(k)(1)
- B.** The site is not listed, or proposed for listing on the National Priorities List of the EPA
- C.** The applicant is not a generator or transporter of any contamination located at the site; and
- D.** The applicant has not had a claim asserted against the them for liability under CERCLA §107 at the site.

In consideration of the covenants and promises contained herein, it is understood and agreed by the applicant as follows:

- 1.** Borrower/subgrantee will use the Brownfield RLF to remediate contaminated soils at the site in accordance with the Corrective Action Plan (CAP) previously approved by Secretary of Agency of Natural Resources.
- 2.** Borrower/subgrantee shall carry out the remediation work in accordance with CERCLA §104(k) and the applicable Federal terms and conditions of Grant Number BF-96193701-1 included in the agreement. These requirements include those prohibitions on the use of RLF funds found at CERCLA §104(k)(4)(B) for administrative costs, and response costs for which the borrower/subgrantee is potentially liable at the site under CERCLA §107.
- 3.** Borrower/subgrantee shall carry out the remediation work in accordance with the Davis-Bacon Act of 1931. CERCLA compliance with Davis Bacon requires payment of Federal prevailing wage rates for construction, repair or alteration work funded in whole or in part with RLF funds.
- 4.** Borrower/subgrantee shall incorporate the most recent and applicable wage rates from the U.S. Department of Labor into the remediation construction contract/s. In addition, the borrower/subgrantee must maintain records verifying compliance with the Davis Bacon Act.

5. The Department of Environmental Conservation (DEC), on behalf of the State, shall review the borrower/subgrantee's remedial planning, design, and engineering documents and review the cleanup activities as they are on-going to ensure that the cleanup is being completed in accordance with all local, State, and Federal requirements and is adequately protective of human health and the environment.

6. The borrower/subgrantee will prepare a Community Relations Plan (CRP) which provides reasonable notice, opportunity for involvement, response to comments, and administrative records. The CRP has been approved by EPA. Said plan includes the following:

- A. Copies of news releases and other information that explains the proposed project, such releases and information to be disseminated throughout the area surrounding the affected area.
- B. Procedures for the establishment of a local information repository at or near the site that includes public information supplied by the borrower/subgrantee, ACCD, or DEC related to the proposed remediation work. The borrower/subgrantee shall supply any additional information that assists in documenting the remediation work.
- C. For purposes of the CRP "administrative records" include: an analysis of reasonable alternatives including no action; site investigation reports; the cleanup plan; cleanup standards used; responses to public comments; and verification that the cleanup has been completed.

7. The borrower/subgrantee shall conduct all remediation work in accordance with the approved CAP. Said CAP contains detailed design and construction plans and specifications for the remediation work that includes a budget and work schedule; a health and safety plan (OSHA 1910-120-126); and a Quality Assurance Project Plan (QAPP) which sets forth the manner and method of collecting samples to assure the removal of hazardous substances that are located at the site as a part of the remediation work. Collectively such documents are referred to as the "Project Documents."

8. Prior to the commencement of any remediation work funded by through this application and potential agreement, the borrower/subgrantee shall submit and receive EPA's approval of the QAPP. The QAPP shall support all environmental data operations in accordance with *Quality Assurance Guidance for Conducting Brownfields Assessments*, EPA 540-R-98-038, September 1998; *EPA Requirement for Quality Assurance Project Plans*, (QA/R-5, 03/01); and the *EPA Compendium of Quality Assurance Project Plan Requirements and Guidance*, 10/99. The term "environmental data operations" refers to activities involving the collection, generation, compilation, analysis, evaluation and use of environmental data. The borrower/subgrantee shall submit the QAPP to the EPA Project Officer and the Regional Quality Assurance Manager at least thirty (30) days prior to the scheduled commencement of data collection and/or data generation activities.

9. The Analysis of Brownfield Clean-up Alternatives (ABCA), which is included as part of the CAP, includes information about the site and contamination issues (i.e., exposure pathways, identification of contaminant sources, etc.); cleanup standards; applicable laws; alternatives considered; and the proposed cleanup. The ABCA must also contain an evaluation of alternatives including their effectiveness, implementability, and the cost of the cleanup proposed. The evaluation includes an analysis of reasonable alternatives including no action. The cleanup method set forth in the CAP must be based on this analysis. The borrower/subgrantee shall submit copies of the draft ABCA to DEC for approval. The borrower/subgrantee agrees to accept advice and suggestions from DEC and ACCD and to incorporate those suggestions or requests for revisions as appropriate.

- 10.** After DEC has approved the draft ABCA, the Grantee shall make the document available for review and public comment for a period of not less than thirty (30) days from the date of publication of the public notice, unless otherwise permitted by EPA.
- 11.** After the public comment period, the borrower/subgrantee shall incorporate all appropriate comments, in the reasonable discretion of borrower/subgrantee, into a final ABCA document and prepare a written response to the public comments, if appropriate.
- 12.** After the ABCA has been finalized, the Grantee shall, if warranted, amend the CAP with the approval of DEC.
- 13.** Prior to the initiation of the remediation work the borrower/subgrantee must provide ACCD with copies of all of the required remedial planning documents and evidence of the approval of those documents, if required.
- 14.** Borrower/subgrantee shall commence on the remediation work within 60 days from the date of execution of the agreement and shall complete all of the remediation work prior to the award end date set forth in Part 1 of the agreement. Up to 90 days of pre-award costs related to the scope of work (remediation work) of the agreement, as determined by the Program Manager, may be allowable under the agreement.
- 15.** All remediation work performed pursuant to the agreement and funded by the Brownfield RLF shall be performed in a good and workmanlike manner.
- 16.** In the event that unforeseen conditions are discovered during the implementation of the remediation work, the borrower/subgrantee reserves the right to revise the cleanup action and the project documents, subject to DEC approval. All material changes or modifications to the remediation work funded by this agreement must be approved in writing by DEC and incorporated into the agreement by amendment prior to such change or modification becoming effective. All additional costs incurred, as the result of any change orders shall be the responsibility of the borrower/subgrantee.
- 17.** Borrower/subgrantee, at its sole cost and expense, and from sources other than the Brownfield funding, shall be responsible for obtaining all permits, licenses, approvals, certifications and inspections required by federal, state or local law and to maintain such permits, licenses, approvals, certifications and inspections in current status during the term of this agreement.
- 18.** The borrower/subgrantee shall notify ACCD when the remediation work is complete. The notice shall contain certification or documentation that the remediation work is complete and has been performed in accordance with the terms of the agreement and the approved CAP. This notice shall summarize the actions taken, the resources expended, cost match and the problems encountered in completion of the project, if any, and shall be submitted to ACCD for review and approval before it is finalized. The borrower/subgrantee shall secure and provide to ACCD a Certificate of Completion from DEC.
- 19.** The borrower/subgrantee shall perform all of its obligations and agreements under the agreement, and any other agreements or instruments to which the borrower/subgrantee is a party and which relate to the Brownfield funds and the remediation work.
- 20.** The borrower/subgrantee shall erect a sign on the site stating that the remediation work is being financed by the Vermont Brownfields Revitalization Fund and providing the ACCD contacts, provided in the agreement, for obtaining information on activities being conducted at the site and for reporting suspected criminal activities. The sign erected on the site shall comply with all requirements of the state and local law applicable to on premise outdoor advertising.

21. The borrower/subgrantee shall include in any press release or public communication pertaining to the project, a statement that the project is funded by a Brownfields Revitalization Grant, awarded by the Agency of Commerce and Community Development.

Grant Applicant Signature:

To the best of my knowledge and belief, the information provided in this application and is true and complete. I have read, understand the brownfield requirements and to the best of my knowledge and belief, the site included in this application meets all Brownfield Program requirements.

Signature of Applicant Authorized Representative: _____

Print Name of Applicant Authorized Representative: _____

Date Application Submitted to Brownfield Program: _____

Submit completed application with documentation to:

Agency of Commerce and Community Development
Department of Economic Development
Brownfield Program
One National Life Drive
Deane C. Davis Building, 6th Floor
Montpelier, VT 05620-0501