



Niagara County Brownfield Development Corporation

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Dear Applicant:

RE: NIAGARA COUNTY BROWNFIELDS CLEANUP REVOLVING LOAN FUND (BCRLF)

The Niagara County Brownfield Development Corporation is pleased to provide you with a qualifying application for requesting financial assistance from the Niagara County Brownfields Cleanup Revolving Loan Fund. The qualifying application will be reviewed to determine eligibility and for those applicants meeting all of the eligibility criteria, completion of an Application for Assistance will be required. Eligible and non-eligible applicants will be notified in writing.

ONE original and FOUR (4) copies of the completed qualifying application should be mailed to:

Ms. Amy E. Fisk, AICP, President
Niagara County Brownfield Development Corporation
Vantage Center – Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

Questions should be directed to Ms. Fisk at (716) 278-8750.

BCRLF PROJECT COSTS

ELIGIBLE COSTS

- All reasonable costs for equipment, work, and services for remediation on non-petroleum hazardous waste sites not yet performed at the time of loan or subgrant approval.

COSTS THAT ARE NOT ELIGIBLE

- Costs for remediation that have already been incurred
- Costs for pre-cleanup environmental assessment
- Cleanup of naturally occurring substances
- Monitoring and data collection for the purpose of permit compliance
- Development activities that are not directly part of cleanup actions
- Costs associated with the remediation of petroleum contamination.
- Applicant's time spent in planning, administering or supervising the cleanup.
- Legal fees - incurred specifically for actual environmental remediation efforts (i.e. obtaining access, drawing of ordinances, and administering construction contracts).

Niagara County Brownfields Cleanup Revolving Loan Fund (BCRLF)

Niagara County Brownfield Development Corporation
Vantage Center – Suite One
6311 Inducon Corporate Drive
Sanborn, New York 14132
(716) 278-8750 Fax (716) 278-8757

Qualifying Application for Brownfield Assistance

Project Municipality: _____
Loan Amount Requested: _____
Subgrant Amount Requested: _____
(Municipal applicants ONLY)

For BCRLF Use Only
Date Received: _____
Project Number: _____
Date Approved: _____

Please answer all questions on this form. Information submitted as part of this application will not be made public prior to the passage of an Official Action Resolution by the Corporation. After such action, this information may be subject to disclosure under the New York State Freedom of Information Act.

I. COMPANY INFORMATION (For subgrant requests enter municipal information)

Company Name _____

Contact Person _____

Title _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ Fax _____ Email _____

IRS Identification Number _____

Type of Business:

- Corporation Sole Proprietorship Partnership Sub Chapter S
 Municipality Not for Profit Other

Is Company Authorized to do business in New York State? Yes No

II. PROJECT SITE INFORMATION (Location where remediation will be conducted)

Name _____

Address _____

City _____ State _____ Zip Code _____

Tax Map Number (Section, Block, Lot) _____

Parcel Size (Acres) _____ Present Zoning _____

Site Owner _____

(If different than applicant, a letter must be attached indicating owner's willingness for borrower to pursue funding and cleanup of the site under the BCRLF program)

To your knowledge, is this site known by any other name(s)? YES NO

If yes, please provide other name(s) _____

III. SITE ENVIRONMENTAL INFORMATION

A. Has any contact been made with the New York State Department of Environmental Conservation on the Project Site?

YES NO UNSURE

If yes, provide name and date of last contact:

Name: _____ Date: _____

B. Has the Project Site been accepted into the New York Department of Environmental Conservation's Brownfield Cleanup Program or Environmental Restoration Program?

YES ID#: _____ NO UNSURE

C. Have Phase I and II Environmental Site Assessments been prepared for the project site?

YES NO UNSURE

D. Have any other studies or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination?

YES _____ NO UNSURE

E. Is the Project Site listed on the National Priorities List (NPL)?

YES NO UNSURE NPL ID# _____

F. Is the Project Site subject to a CERCLIS Removal Action?

YES NO UNSURE CERCLIS ID# _____

G. Does the Project Site contain exclusively petroleum contamination?

YES NO UNSURE

H. Briefly describe the proposed brownfield remediation work.

I. Briefly describe the proposed use of the property after remediation.

IV. PROJECT COSTS – If exact dollars amounts are not available, please use a best estimate.

| Category | Dollar Amount |
|---------------------------------|----------------------|
| Engineering | |
| Soil Removal | |
| Soil Disposal | |
| Capping | |
| Groundwater Remediation | |
| Other Remediation Expenses | |
| Anticipated Redevelopment Costs | |
| TOTAL PROJECT COSTS | |

V. PROJECT TIMING

Please provide a brief description of the estimated timing for project remediation from start to completion. Also, include an estimated timeframe for redevelopment.

THIS CERTIFICATION IS REQUIRED FOR ALL APPLICANTS APPLYING TO THE BCRLF

BCRLF GENERAL CERTIFICATION

(to be executed by the principal of the applicant and acknowledged by a notary public)

I. (name of chief executive officer or other authorized representative of applicant) deposes and says that he/she is the (title) of (name of corporation or other entity) named in the attached Application (the "Applicant"); that he/she has read the foregoing Application and knows the contents thereof, and that the same is true to his/her knowledge.

II. The grounds for deponent's belief relative to all matters in the Application which are not stated upon his/her own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of the Application, as well as information acquired by deponent in the course of his/her duties as an officer of and from the books and papers of said corporation or other entity.

III. Applicant hereby releases the **Niagara County Brownfield Development Corporation** and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation"), agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless, from and against any and all liability arising from or expense incurred by

(A) the Corporation's examination and processing of, and action pursuant to or upon, the attached application, regardless of whether or not the application or the Project described therein or the issue of bonds requested therein are favorably acted upon by the Corporation, and

(B) the Corporation's financing of the Project described herein; including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing.

IV The Applicant is aware, and acknowledges that

(A) unless otherwise stated in loan agreement, the NCBDC is responsible for all legal fees and closing costs of the Corporation in connection with the loan

(B) according to the Public Officer's Law, Article 6, Freedom of Information, the public has the right to request information about the project and project applicant, and

(C) in accordance with Public Officer's Law Article 7, meetings of the Corporation may be open to the public.

Applicant

Notary Acknowledgement

STATE OF NEW YORK)
) ss.:
COUNTY OF NIAGARA)

On the _____ day of _____, 20____, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are described to the within instrument and acknowledged to me that they executed the same in their capacity and that by their signatures on the instrument, the individuals or the persons upon behalf of which the individuals acted, executed the instrument.

Notary Public/Commissioner of Deeds

Sworn to before me this

_____ day of _____, 20_____

Notary Public