

**2009 Federal Brownfields Recovery Act Funds
 Wisconsin Ready for Reuse Program
 Hazardous Substance Loan and Grant Application**
 Form 4400-251 (8/09)

Notice: Use of this form is required by the DNR for any American Recovery & Reinvestment Act application filed pursuant to s. 292.72, Wis. Stats. Personally identifiable information collected will be used for loan and grant administration and will also be accessible by request under Wisconsin's Open Records law. [ss. 19.31 – 19.69, Wis. Stats.]. Applications must be complete in order to be processed.

DNR Use Only		
Application No.	Region	Project Notes
Project Manager	PM Phone Number	
EPA Contact Date		
Eligible? <input type="checkbox"/> Yes <input type="checkbox"/> No	Loan or Grant Awarded? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Instructions: Please complete the following information in order to receive an eligibility and award determination for a Recovery Act hazardous substance Ready for Reuse loan or grant. Final determination is done in partnership between DNR and US EPA. For a fact sheet and additional information about this program, visit the DNR's web site at: dnr.wi.gov/org/aw/rr/rif. Send all completed applications, with attachments to: Ready for Reuse Manager – RR/5, DNR, PO Box 7921, Madison, WI 53707-7921. Use a separate form for each site.

<input type="checkbox"/> Loan Request	<input type="checkbox"/> Grant Request
Amount of Request	\$

Cleanup Start Date:	
Cleanup End Date:	

In order to be eligible for the Recovery Act Ready for Reuse Program and receive priority funding, all the following criteria must be met:

- The site must meet the federal definition of an “eligible brownfield site.”
- Grants: The applicant must be an eligible governmental entity, tribe (or other eligible tribal entity) or an eligible non-profit organization. Loans: The applicant must be an eligible governmental entity.
- If applying for a grant, the applicant must own the site.
- The applicant must have no CERCLA liability for the site.
- Cleanup is for hazardous substance contamination only. For cleanup of petroleum substances, see the traditional Ready for Reuse loan and grant process: dnr.wi.gov/org/aw/rr/rif.
- The ch. NR 716 Site Investigation, Wis. Admin., Code, for the site is complete, and has been at least submitted to the DNR. Higher preference is given to those that DNR has approved.
- The cleanup action will begin no later than October 1, 2009, and be substantially complete by October 1, 2010.
- The applicant has secured financing in place to complete the cleanup and redevelopment.
- A municipal resolution authorizing the governmental entity to apply for and receive Ready for Reuse funding has been passed (not applicable to non-profits). (Submit as Attachment F)
- The project promotes economic development, including job retention and/or creation.
- A borrower or grantee is prepared and able to complete monthly and/or quarterly tracking forms for the Program, in order to meet federal and state Recovery Act reporting requirements.

Section 1: Applicant Information

Type of Eligible Applicant (see Recovery Act Ready for Reuse Fact Sheet (RR-821) for additional information)		
<input type="checkbox"/> County	<input type="checkbox"/> City	<input type="checkbox"/> Town
<input type="checkbox"/> Other eligible governmental agency*: Please specify:	<input type="checkbox"/> Village	<input type="checkbox"/> Tribe
<input type="checkbox"/> Other eligible tribal entity *: Please specify:		
<input type="checkbox"/> Non-Profit Organization [e.g. 501(c)(3)]*	* Submit proof of applicant eligibility in Attachment G .	
Applicant Name		County
Address		
City	State	Zip Code

Web Site (if applicable)		Population
State Assembly District	State Senate District	

Section 2: Contact Information for Applicant

Authorized Representative		Title
Mailing address		
Phone	Fax	
Email		

Contact Person		Title
Mailing address (if different from above)		
Phone	Fax	
Email		

Environmental Consultant or Contractor (if applicable)		Title	
Address			
City		State	Zip code
Phone	Fax		
Email			

Section 3: Site Information

Project Name			
Site Address(es)			
City		State	Zip code
Size (acres)	DNR BRRTS #		
Tax Parcel #s			

Section 4: Project Information

1. How do you propose to use the Ready for Reuse funds? Check all that apply:
- | | |
|---|--|
| <input type="checkbox"/> Finalization of the Remedial Action Options Report | <input type="checkbox"/> Demolition (only if DNR determines that it is necessary to access contaminated soil or groundwater) |
| <input type="checkbox"/> Remediation Activities (environmental cleanup) | <input type="checkbox"/> Asbestos Abatement (only if DNR determines that demolition is necessary) |
| <input type="checkbox"/> Short-Term Monitoring of Remedial Action | <input type="checkbox"/> DNR review fees |
| <input type="checkbox"/> Environmental Consulting fees | |
| <input type="checkbox"/> Public Participation costs | |

Other:

Other:

2. Briefly describe the entire project at the site. (e.g. Cleanup of a former tannery in the city's downtown redevelopment zone. Will be redeveloped as a pharmacy.)

Section 5: Applicant & Site Eligibility

If the applicant owns the site, complete Section 5, Part A. If the applicant does not own the site, complete Section 5, Part B.

Section 5 – Part A: Applicant Ownership & CERCLA Liability

If the applicant owns the site, please complete all the questions in this section.

1. When did the applicant acquire the property?

2. Was the property acquired by one of the following “involuntary” methods? Yes No
If yes, check the appropriate method.
 - tax deed/foreclosure
 - escheat
 - DNR stewardship funds
 - condemnation or other proceedings under ch. 32, Wis. Stats.
 - bankruptcy order
 - slum or blight proceeding under state statutes, such as ch. 66, Wis. Stats.
 - other: _____

3. Did the applicant conduct a Phase 1 environmental site assessment (or other due diligence) within 18 months of acquiring the site?
 Yes Date: _____
 No
 - If no, did the applicant review and rely on an existing Phase 1 site assessment prior to purchasing the property?
 Yes No
 - If yes -- Date of Phase 1: _____ If applicable, ASTM standard referenced in the Phase 1: _____
 - If no – Please attach a summary of the environmental due diligence that was used at the time of acquisition, and how you believe it was “standard practice” at the time of acquisition, in **Attachment E**.

4. Describe whether or not the original hazardous substance discharges occurred prior to ownership, after ownership, or both?

5. What activities, if any, did the applicant take to prevent discharges after taking ownership?

6. Has the applicant ever leased the site to another party? Yes No
If yes, to whom was it leased, for how long, and did the lessee handle any potentially hazardous substances at the site?

7. Did the applicant cause or contribute to the contamination on the site? Yes No
 - If yes, provide details.
 - If no, describe the possible causers of contamination, and their ability to clean it up.

8. Is the applicant affiliated or related in any way with any former owner or operator of the property, or with any person who may have generated hazardous substances located at or near the property, or with any person who may have transported or arranged for the transportation of hazardous substances located at or near the property? Yes No
 - If yes, explain the affiliation or relationship.

9. In order to be eligible for these funds, the applicant must not have CERCLA s. 107 liability.
- a. Please mark which CERCLA s. 107 defense you are claiming for this site.
- Bona Fide Prospective Purchaser** – For property acquired after January 11, 2002, where environmental due diligence was conducted in accordance with the federal All Appropriate Inquiry (AAI) standard.
 - Involuntary Acquisition or Transfer** – Only generally available to governmental entities.
 - Standard Practice for Due Diligence** – For property acquired prior to January 11, 2002.
- b. Describe why you believe you meet the defense you checked. See the DNR Ready for Reuse web site for guidance and examples. Submit all formal statements and other pertinent documentation in **Attachment E**.

Section 5 – Part B: Other Entity Ownership

If the applicant does not own the site, please complete all the questions in this section.

1. Who currently owns this site:
- Another local unit of government (name _____)
 - Non-profit Organization (name _____)
 - Other (name and contact information _____)
2. If the applicant does not own the site, does the applicant plan to acquire it? Yes No
- If yes, when and by what means?
 - If no, does the applicant have legal access to 100% of the site? Yes No
 - If yes, please attach access agreements.
 - If no, how does the applicant plan to conduct cleanup on the property?
3. Did the owner cause the discharge of a hazardous substance on the property? Yes No
- If yes, please explain the discharge.
4. Who was the immediate past owner of the site, and when did the current owner purchase the property?

Section 6: Site Eligibility

1. Does the site meet the federal definition of a "brownfield?" (see the [Recovery Act Ready for Reuse web page](#) for a definition)
- Yes No
2. Check all that apply.
- The site is a facility subject to planned or ongoing CERCLA removal actions.
 - The site is a facility subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decree or to which a permit has been issued by the United States 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 (SDWA).
 - The site is a facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h)) and to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures.
 - The site is a facility that is a disposal units that has filed a closure notification under subtitle C of RCRA and to which closure requirements have been specified in a closure plan or permit.
 - The site is a facility where there has been a release of polychlorinated biphenyls (PCBs) and is subject to remediation under TSCA.
 - The site is a facility listed (or proposed for listing) on the National Priorities List (NPL).
 - The site is a facility subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decree issued to or entered into by parties under CERCLA.
 - The site is a facility subject to the jurisdiction, custody or control of the United States government. (This does not include land held in trust by the United States government for an Indian tribe.)

Section 7: Site History

1. Provide a brief, written history of the site. Submit as an additional page, if necessary.
2. Past Land Uses (select all that apply):
 - agricultural co-op
 - landfill
 - salvage yard
 - other:
 - coal gas manufacturer
 - manufacturing
 - service station
 - dry cleaner
 - petroleum bulk plant
 - tannery
 - electroplater
 - pipeline
 - unknown
3. What is the current use of the property?
 - agricultural
 - recreational
 - commercial
 - residential
 - industrial
 - other:
 - public use
 - Is the property currently vacant? Yes No
 - What is the current zoning for the property?
4. Describe the existing site conditions, including existing buildings.
5. What types of hazardous substances are known to be present at the site or facility? If possible, provide chemical names and the media contaminated (e.g. lead in soil).
6. Known or suspected sources/wastes (select all that apply):
 - aboveground pipeline or tank
 - fly ash
 - routine industrial operations
 - other(s):
 - burning of materials
 - foundry sand
 - surface spills
 - contaminated building
 - industrial accident
 - transformer
 - dumping or buried drums
 - lagoon
 - underground pipeline or tank
7. Has the State of Wisconsin ever been notified of the discharge of hazardous substance(s) at the site or facility? Yes No
 - If yes, when?

Section 8: Cleanup Information

1. Has a ch. NR 716 Site Investigation been submitted to the State of Wisconsin?
 - Yes: Submittal Date _____ State Agency _____
 - No: Anticipated date of submittal _____ State Agency _____
2. Has a ch. NR 716 Site Investigation been approved by the State of Wisconsin for this site?
 - Yes: Approval Date _____ Approval Agency _____ Project Manager _____
 - No: Anticipated date of submittal _____ Approval Agency _____
3. Has a ch. NR 722 Remedial Actions Option Report been submitted to the DNR for review and approval?
 - Yes: Date of Submittal _____ Approval Date (if approved) _____ Project Manager _____
 - No: Anticipated date of submittal _____
4. What are the estimated start and end dates of the cleanup?
Cleanup Start Date: _____ Cleanup End Date: _____
5. Briefly describe the preferred cleanup plan, including the estimated cost.
6. Has this site received closure from DNR or another state agency? Yes No

If yes, complete answer the following questions:

- a. When did the site receive closure?

- b. Which state agency gave the site closure?

- c. Why does the site need additional cleanup funding?

- d. Was the site closure conditioned on a structural impediment? Yes No
 - If yes, has an additional Site Investigation been completed beneath the impediment? Yes No

Section 9: Redevelopment Information

- 1. What is the proposed use of the property after remediation?

<input type="checkbox"/> agricultural	<input type="checkbox"/> commercial	<input type="checkbox"/> industrial	<input type="checkbox"/> public use
<input type="checkbox"/> recreational	<input type="checkbox"/> residential	<input type="checkbox"/> other:	<input type="checkbox"/> unknown

- 2. Briefly describe any proposed redevelopment plan.

- 3. What are the estimated total redevelopment costs?

- 4. What is the estimated increase in the property's value?

- 5. What are the start and end dates of the redevelopment?
 Redevelopment Start Date: _____ Redevelopment End Date: _____

- 6. Is there a development agreement in place, or conditional upon funding? Yes No
 - If yes, describe the agreement.

- 7. Briefly describe the community benefits of the redevelopment.

- 8. Complete Table A below.

Table A. Jobs Created & Retained

Type of Job	Estimated # Created	Estimated # Retained
Cleanup Jobs		
Demolition Jobs		
Redevelopment/Construction Jobs		
Permanent/Post-Redevelopment Jobs		
TOTALS		

Section 10: Sustainability Information

1. How will the cleanup project incorporate or promote sustainable reuse and renewable energy?
2. How will the redevelopment incorporate or promote sustainable reuse and renewable energy?

Section 11: Project Readiness

1. Complete Table B below.

Table B. Total Cleanup Costs at Project/Site

Total Cleanup Cost at Project/Site	\$
Ready for Reuse Amount Requested	\$
Remaining Project Costs	\$

2. Fill in Table C Below. Identify the secured sources of revenue to pay for the Remaining Project Costs listed in Table A above. Provide documentation of the secured Sources of Revenue in **Attachment H**.

Table C. Secured Sources of Revenue

Source of Revenue	Amount	Secured?
1.	\$	
2.	\$	
3.	\$	
4.	\$	

3. What are the expected Ready for Reuse loan or grant start and end dates?

Grant/Loan Start Date: _____ Grant/Loan End Date: _____

Section 12: Required Attachments

Include the following attachments at the end of your completed application form.

<input type="checkbox"/>	A. Project Budget (include a justification if including grant or loan costs for demolition and/or asbestos abatement)
<input type="checkbox"/>	B. Compliance with Federal Requirements
<input type="checkbox"/>	C. Map (plat map preferred)
<input type="checkbox"/>	D. Current photographs of site and surrounding area
<input type="checkbox"/>	E. CERCLA Liability Defense statement and documentation (Phase I and II Environmental Site Assessments or other available documentation)
<input type="checkbox"/>	F. Copy of an ordinance or resolution authorizing the applicant to enter into a financial assistance agreement with DNR.
<input type="checkbox"/>	G. Proof of applicant eligibility, if applicable.
<input type="checkbox"/>	H. Proof of secured financing to complete the cleanup project.
<input type="checkbox"/>	I. Loan documentation, if applicable
<input type="checkbox"/>	J. Loan repayment schedule, if applicable

Section 13: Self-Certification

- I certify that information in this application and all its attachments are true and correct and in conformity with applicable Wisconsin Statutes.
- I certify that to the best of knowledge and belief that neither the entity applying for a Ready for Reuse loan or grant, nor any individual, partnership, company or corporation related to the applicant through common ownership or control:
 - (a) has violated any provision of the Federal, state or local environmental laws or regulations relating to the proposed brownfield project site;
 - (b) has caused or contributed to the release of hazardous substances at the proposed brownfield project site, nor arranged for the disposal or treatment of hazardous substances from the site; nor
 - (c) has been suspended, debarred or otherwise declared ineligible to receive federal funds.
- I certify that the entity applying for a Ready for Reuse loan or grant does not have CERCLA s. 107 liability at the proposed project site.
- I certify that funds are available to commence and complete the cleanup activities associated with this project, and to finish the project within the loan or grant time period.
- I agree to comply with all American Recovery and Reinvestment Act reporting requirements, on forms supplied by the DNR.

Print Name of Authorized Representative

Signature of Authorized Representative

Date

Attachment A: Project Budget

Fill in the Project Budget below for your preferred remediation option. All costs should be for the time period starting after signing the financial agreement with DNR.

Activity or Expense	Cleanup Project Costs	Ready for Reuse Loan or Grant	Funds from Other Sources
1. Soil Excavation	\$	\$	
2. Soil Transportation, Treatment & Disposal	\$	\$	
3. In-Situ Soil Treatment	\$	\$	
4. Soils Confirmation Testing	\$	\$	
5. Groundwater Remediation Capital Cost	\$	\$	
6. Groundwater Remediation Operation and Maintenance	\$	\$	
7. Post-remedial Groundwater Monitoring	\$	\$	
8. Remediation Oversight	\$	\$	
9. Finalization of RAP	\$	\$	
10. Site Security Monitoring	\$	\$	
11. Health & Safety Site Monitoring	\$	\$	
12. Environmental Consulting fees	\$	\$	
13. Public Participation costs	\$	\$	
14. DNR fees	\$	\$	
15. Demolition*	\$	\$	
16. Asbestos Abatement*	\$	\$	
17. Hazardous Substance Storage Tank Removal and Disposal	\$	\$	
18. Other:	\$	\$	
19. Other:	\$	\$	
20. TOTALS	\$	\$	Project Total: \$

*Demolition and associated asbestos abatement costs must be necessary to perform environmental remediation activities, and must be pre-approved by the DNR and EPA.

Attachment B: Compliance with Federal Requirements

I have read and am familiar with all federal terms and conditions associated with the Recovery Act Ready for Reuse loan and grant program, which are listed below. By signing this statement, I hereby certify that the entity applying for the program, and any individual, partnership, company or corporation related to the applicant through common ownership or control, agrees to comply with all of these conditions during loan or grant work if this application is approved. The conditions include, but are not limited to, the following terms:

1. Lobbying and Litigation
 - Federal funds may not be used to lobby or litigate against the federal government.
 - References: OMB Circular A-21, A-87 or A-122
2. Fair Share in Contracting
 - Small, minority and women's business enterprise goals
 - References: Women's and Minority Business Enterprise, Executive Orders 11625, 12138 and 12432, EPA form 5700-52-A, MBE/WBE Utilization under Federal Grants
3. Public Accommodation
 - Conference and meeting facilities
 - References: Hotel and Motel Fire Safety Act of 1990
4. Small Business in Rural Areas
 - Affirmative steps regarding small businesses in rural areas
 - References: Section 129 of Public Law 100-590
5. Procurement of Recycled Products
 - Preference for purchase of recycled materials
 - References: 40 CFR 246-254
6. National Historic Preservation Act
 - Contact EPA regarding any potential for impacts to historic properties
7. Debarment and Suspension
 - Do not use loan or grant funds for contracts with those debarred or suspended
 - References: Subpart C of 40 CFR Part 32, Executive Order 12549
8. Recycled Paper
 - Use of recycled paper for federal reporting
 - References: EPA Order 1000.25 and Executive Order 13101
9. Worker Protection
 - Davis-Bacon Prevailing wage rates for construction projects
 - References: Davis-Bacon Act of 1931
 - Contract Work Hours and Safety Standards
 - References: 40 USC327-333, OSHA Standard 29, CFR 1910.120
10. Uniform Relocation Act
 - References: Uniform Relocation and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, as amended
11. Reporting
 - Monthly or quarterly reporting, including Recovery Act requirements, as listed in the final financial agreement with DNR
12. Buy American Provision

Print Name of Authorized Representative

Signature of Authorized Representative

Date

Attachment I: Loan Documentation

1. Does your municipality agree to issue an obligation authorized under Chapter 67, Wis. Stats., as security for the Ready for Reuse loan?
 - Yes – Continue to Question 2
 - No – **Stop.** Contact the DNR to discuss this loan application.
2. Which type of obligation will your municipality use as security for the Ready for Reuse loan?
 - Promissory Note under s. 67.12.(12), Wis. Stats.
 - An note anticipation note under s.67.12(1)(b)2, Wis. Stats.
 - Other municipal obligation under ch. 67, Wis. Stats.
3. Fill in the following chart regarding your municipality's debt capacity.

a. Total General Obligation Capacity	\$
b. Current General Obligation Debt Outstanding	\$
c. Remaining General Obligation Capacity (a-b)	\$

4. What is the estimated municipal obligation resolution date?
5. What is the estimated loan closing date?
6. Has your municipality ever defaulted on any of its loans or debt obligations? Yes No
 - If yes, please provide details.
7. Are there any restrictions on what additional debts can be issued by the applicant? Yes No
 - If yes, please describe.
8. Is there any litigation or threatened litigation which may substantially affect the operation of the municipality in the future?
 - Yes No
 - If yes, please provide background information regarding the litigation or factors and the current status.
9. Describe the plan for financing any project costs that are not eligible for loan financing, but necessary to ensure success of the project (i.e., asbestos removal, lead paint removal, legal fees, demolition not necessitated by remediation, infrastructure upgrade, etc.).
10. Is anybody in your local governmental unit directly benefiting from the cleanup and/or redevelopment of this site? Yes No
 - If yes, please provide details.
11. Bond Counsel Information

Firm or Organization		Attorney Name	
Address			
City		State	ZIP code
Phone		Fax	
Email			

