

Revolving Loan Fund (RLF) Incentive



Application for RLF Loan

The purpose of the Indiana Brownfields Program Revolving Loan Fund Incentive (RLF Incentive) is to facilitate the redevelopment of brownfield sites by making low- to zero-interest loans to eligible political subdivisions, non-profits, and private, for-profit entities to finance environmental cleanup. Loan terms are flexible and dependent upon project/borrower needs. Interest rates will be fixed between 0 and 3%. Loan terms will not exceed 20 years. Repayment terms are negotiable in accordance with applicable guidance and a loan may be partially forgivable for political subdivision and non-profit borrowers that meet negotiated project-specific remediation and economic development goals.

Please review the “Indiana Brownfields Program Revolving Loan Fund (RLF) Loan Guidelines” (RLF Guidelines) for more information *prior to* completing this application.

Indiana defines a brownfield as a parcel of real estate that is abandoned or inactive; or may not be operated at its appropriate use; and on which expansion, redevelopment, or reuse is complicated; because of the presence or potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment. IC 13-11-2-19.3.

For purposes of awarding RLF funding, the term brownfield also specifically includes: 1) sites contaminated by controlled substances (e.g., residences or buildings used for the manufacture of methamphetamines); 2) sites contaminated by petroleum or a petroleum product; and, 3) mine-scarred lands.

Completed applications may be submitted at any time by email, U.S. mail, or delivered in person. *Email submission is preferred.* Please submit typed applications to:

John Morris
Indiana Brownfields Program
100 N. Senate Ave., Room 1275
Indianapolis, IN 46204
EMAIL: JMorris@ifa.in.gov

Application Checklist – *Including Required Supporting Documentation:*

- Completed Typed Application
- Applicant and Site Eligibility Questionnaire (*Exhibit A* of the *RLF Guidelines*)
- Photographs of site as it currently exists
- Site plan/map showing existing structures
- Executed Property Access Agreement (if Applicant is not current owner)
- Copies of Phase I & Phase II Environmental Site Assessments
- Proposed cleanup plan and project cleanup costs
- Redevelopment plan, including site plan/map post-redevelopment, if available

Please answer the questions below, referring to the *RLF Guidelines* to inform your answers and confirm required application information (see pages 11-12). Applications must be typed. If more space is needed, additional pages may be attached.

I. Applicant/Borrower Information

Name of Applicant/Borrower (Applicant) (political subdivision, non-profit organization, or private, for-profit organization):

Mailing Address:

City/Town: State: Zip: County:

Contact Person: Contact Person's Title:

Contact's Telephone Number: Email:

If the Applicant is not a town, city or county, please attach a letter of support to the Applicant from the locality in which the Site is located. Letter of support is attached: YES NO

*Please see pages 3 and 11 of the *RLF Guidelines* for required documentation related to Applicant status (e.g., political subdivision that is not a city/town or county, non-profit status, etc.).

II. Co-Applicant/Co-Borrower Information

Name of Co-Applicant/Co-Borrower (Co-Applicant) (political subdivision, non-profit organization, or private, for-profit organization):

Mailing Address:

City/Town: State: Zip: County:

Contact Person: Contact Person's Title:

Contact's Telephone Number: Email:

*Please see pages 3 and 11 of the *RLF Guidelines* for required documentation related to Co-Applicant status (e.g., political subdivision that is not a city/town or county, non-profit status, etc.).

III. Property Information

A. Property/site name (please list all known names to which the property is commonly referred (e.g., *Johnny's Market*)):

If applicable, U.S. EPA or IDEM Site #:

Street Address:

City/Town: Zip: County:

Tax Parcel Identification #:

B. Property owner name, if not Applicant:

Date that the property was acquired by current owner:

Identify the method by which the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain):

Street Address:

City/Town: Zip: County:

Telephone Number:

- C. Applicant's (and Co-Applicant's, if applicable) interest in the property, if not the owner (e.g., prospective purchaser, current mortgage holder, municipality with a tax lien, current lessee, other (describe)):
- D. What is the approximate size of the site? Describe the existing site conditions, including number of existing buildings and current uses.
- E. Does the Applicant, if it is not the owner, have an agreement from the current owner giving access to the brownfield to the state, any consultant(s), the Applicant, and any of its respective representatives or agents for the duration of the cleanup activities? (A template access agreement is provided as Exhibit B of the *RLF Guidelines*). YES NO If yes, attach a copy of the executed agreement.
- F. Is the site currently for sale? YES NO
- G. Is the site tax delinquent? YES NO If yes, what is the total amount of tax delinquency?
- H. Has the site received financial assistance from the Indiana Brownfields Program or U.S. EPA in the past? YES NO If yes, please list awarding agency, type of assistance (e.g., assessment grant, loan), date, and amount of previous award(s).

IV. Environmental Site Conditions (Types of contaminants, media affected, extent and degree of contamination)

- A. Indicate whether the application is for hazardous substances or petroleum contamination. An application for an RLF Loan for cleanup of hazardous substance contamination co-mingled with petroleum should be submitted for hazardous substance funding. If there are distinct areas of hazardous substance and petroleum contamination, please select both.
 Hazardous substances contamination: YES NO
 • Co-mingled with petroleum: YES NO
 Petroleum contamination: YES NO
- B. Provide a *brief* history of the operations at and ownership of the site, including current and past uses, past owners/occupants and dates of ownership. Include information regarding any known contamination at the site and describe the nature and extent of the contamination.
- C. Summarize any previous efforts, by Applicant or any other entity, to redevelop or address environmental contamination at the site.
- D. Has a Phase I Environmental Site Assessment been performed at the site? YES NO
 If yes, is it compliant with U.S. EPA's All Appropriate Inquiry rule? YES NO
 What is the date on which the assessment was completed?
 For whom/what entity was the Phase I prepared, if not the Applicant?
 Please attach a copy of any Phase I reports.

- E. Have any Phase II Environmental Site Assessment activities been performed at the site? YES NO If yes, please attach a copy of any Phase II reports.
- F. Has the contamination on the project property resulted in any lawsuits (e.g., liability, nuisance, insurance recovery)? If yes, provide a detailed explanation.
- G. Is the National Historic Preservation Act (NHPA) applicable to the site? YES NO UNKNOWN
- H. Is the Endangered Species Act (ESA) applicable to the site? YES NO UNKNOWN

V. Redevelopment/Project Information (Scope, timeline, and budget)

A. Cleanup Activities

- Scope/media to be addressed:
- Estimated cost of cleanup: \$
- Timetable to start cleanup and anticipated completion date:

B. Redevelopment/construction activities

- Secure all financing by:
- Break ground/lease by:
- Achieve full site operation/occupancy by:

C. What is the stage of project development?

- Ready for planning: YES NO
- Development plan complete: YES NO
- Ready for land acquisition: YES NO
- Land acquired: YES NO
- Ready for construction bid: YES NO

D. Describe the reuse/redevelopment plans for the site, including its place in the locality's overall economic and community development plans. Please provide a detailed description of any formal plans for redevelopment and any activities that have already been completed towards those plans (e.g., contracts executed, zoning approvals). Do plans call for multi-use functions (e.g., residential and commercial/retail)? Please describe plans for long-term maintenance and management of the site once it is redeveloped.

VI. Socioeconomic Benefits (Remediation, capital investment, economic impact, projected job creation)

A. *Redevelopment Plans* -

- Provide detail on how the loan proceeds will be used to promote economic development or enable the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes.

- Describe the extent to which redevelopment plans call for pollution prevention and reduced resource consumption (e.g., infrastructure reuse, pollution prevention activities, native landscaping, innovative stormwater management/reuse, construction debris/fill reuse, green building techniques, and/or others).

B. *Community Involvement/Public Participation* - Describe the opportunities already given to local residents, businesses and the community as a whole to comment on the proposed cleanup and redevelopment plans for the site. Summarize any comments received, including the Applicant’s responses to any negative comments. Discuss future plans to involve the affected community in reuse planning and/or cleanup plans (e.g., public meeting, neighborhood comment and input, coordinated local efforts, etc.)

C. *Capital Investment/Job Creation* –

- Total project investment:
- Estimated temporary (cleanup and construction) jobs created: Average hourly wage:
- Estimated permanent jobs created/retained:
- Total estimated new taxes generated:

VII. Loan Request

A. Amount of Loan Requested: \$

- Estimated amount for hazardous substances remediation: \$
- Estimated amount for petroleum remediation: \$

B. Intended Use of Loan Funds (*see pages 7-8 of RLF Guidelines* for eligible project costs/activities):

C. Source(s) of Loan Repayment (*see page 9 of RLF Guidelines* for collateral options):

VIII. Financial Information

A. Describe the extent to which other funding is or is not available for the cleanup of the site.

Does the project have available dedicated public or private funding? YES NO

If yes, please:

- Identify the funds (e.g., general revenues, Tax Increment Financing (TIF), staff-time/in-kind services) that Applicant or any other entity has committed or will commit to meet the funding requirement to complete cleanup.
- Describe all other funding sources (e.g., federal, state, non-profit or private) that are or will be committed or that Applicant is pursuing to ensure successful completion of the redevelopment project.

B. Estimated private and public investments in the project (actual and projected):

C. Attach supporting documentation that 1) demonstrates the success of obtaining financing (e.g., commitment letters from lending institutions, municipal resolutions for financing or TIF creation) and 2) verifies that adequate funding is available and committed to complete the RLF Loan-funded activities if the estimated cost exceeds the requested RLF Loan amount.

D. *Applicant Financial Information* – Attach the information requested in the *RLF Guidelines* (see page 12).

IX. Eligibility/Liability Information

A. Review and complete Exhibit A of the *RLF Guidelines* (Applicant and Site Eligibility Questionnaire).

B. If known, is/does the site:

- Meet the definition of a brownfield (see page 1 of application)? **YES** **NO**
- Have any open or pending federal or state enforcement action? **YES** **NO**
If yes, please explain:
- Subject to RCRA Corrective Action for hazardous substances contamination or petroleum contamination (under section 9003(h) of the Solid Waste Disposal Act (RCRA § 6991b(h)))? **YES** **NO**
- Pose an imminent threat to human health or the environment? **YES** **NO**
- Listed or proposed for listing on the National Priorities List? **YES** **NO**
- 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** If yes, please explain:
- Subject to the jurisdiction, custody, or control of the United States government? **YES** **NO**

C. Is the Applicant requesting a Property-Specific Determination for eligibility of the brownfield for RLF funding? See pages 6-7 of the *RLF Guidelines*, and page 4-5 of Exhibit A of the *RLF Guidelines*. **YES** **NO**

D. *If applying for a petroleum site* - Review and complete item 4) on the *Applicant and Site Eligibility Questionnaire* (Exhibit A of the *RLF Guidelines*) for a site (or portion of a site) contaminated with petroleum or petroleum products. Item 4) does *not* apply to sites with co-mingled hazardous substances and petroleum contamination.

Note: If Applicant is not able to provide all the above information for a petroleum-contaminated site, then Applicant must include a brief explanation as to why the information requested above is not available.

X. Authorization/Certification/Consent to Publication

As a participant in the RLF Incentive, the undersigned (Applicant and Co-Applicant, if applicable) agrees to the following conditions:

A. The undersigned certifies that neither the (Co-)Applicant, nor any individual, partnership, company or corporation related to the (Co-)Applicant through common ownership or control, is considered a responsible party under CERCLA and/or IC 13-25-4 for hazardous substances contamination or IC 13-23 or IC 13-24-1 for petroleum contamination at the proposed brownfield project site.

- B. The undersigned certifies that (Co-)Applicant has never been suspended, debarred, or otherwise declared ineligible for federal or state financial assistance programs.
- C. The undersigned certifies that (Co-)Applicant is authorized to incur debt and enter into legally binding agreements.
- D. The undersigned certifies that (Co-)Applicant has no pattern of uncorrected environmental non-compliance.
- E. The undersigned understands that (Co-)Applicant is applying for an RLF Loan using federal monies and further certifies that s/he has reviewed and agrees to be bound by terms and conditions contained in the U.S. EPA Cooperative Agreement entered into by the U.S. EPA and the Indiana Finance Authority (http://www.in.gov/ifa/brownfields/files/EPA_RLF_AA-CA_T-C_pkg.pdf), including compliance with the terms of all governmental regulations pertaining to the project, including the regulations contained in 40 CFR Pt. 300, 42 USC § 9601 et. seq. and the requirements of the Davis-Bacon Act.
- F. The undersigned agrees that the challenges and successes of this brownfields project may be discussed at any local, state or national meetings or conferences.
- G. The undersigned agrees that this brownfield project may be publicized through various media, including brochures, web pages, news articles and press events. These media may include photos of the project site.
- H. The undersigned understands that the information that is made available will be available to the public and other agencies in accordance with the Indiana Public Records Act, IC 5-14-3, the state law that governs the disclosure of public records.
- I. The undersigned certifies to the best of his/her knowledge that all information provided herein is accurate and complete.

Signature of person submitting application on behalf of Applicant¹

Signature of person submitting application on behalf of Co-Applicant

Date: _____

Date: _____

Print name:
Print title:
Address:
Phone number(s):
Fax number:
Email address:

Print name:
Print title:
Address:
Phone number(s):
Fax number:
Email address:

¹ Electronic signatures are acceptable or a completed application may be printed, signed, scanned and then submitted via email.