



**REVOLVING LOAN FUND PROGRAM CLEANUP
INFORMATION NEEDED FOR PROPERTY AND
BORROWER/SUBGRANTEE ELIGIBILITY APPROVAL**

Please complete this information carefully, precisely and completely. The Weirton Revolving Loan Fund (RLF) Task Force will be relying on the accuracy of this information to complete their review and approval. Also, information gaps will result in a longer review time for the project. Please don't hesitate to contact either Dawn Seeburger at dawnseeburger@envres.net or (304) 965-9333; or Patty Hickman at phickman@envstd.com or (304) 312-7830 if any question requires clarification.

A) BACKGROUND INFORMATION

- 1) RLF Grant Recipient is the City of Weirton, WV.
- 2) Name and Title of Person Who Filled out this Form: _____
- 3) Date This Questionnaire Was Completed: _____
- 4) Property Name: _____
- 5) Property Address: _____
- 6) Loan/Subgrant Applicant Name: _____
- 7) Loan/Subgrant Amount Requested: _____
- 8) Current Owner of Property: _____
- 9) Does the borrower have any affiliation and/or relationship, if any, with the prospective RLF Loan Borrower or RLF Subgrantee? Yes No
- 10) From whom was the property acquired: _____
- 11) Date of Property Acquisition: _____ (Provide a copy of Ownership Title)

B] PROPERTIES CONTAMINATED WITH HAZARDOUS SUBSTANCES & PETROLEUM

- 1) If owned by a municipality, how was it acquired?
 Foreclosure Donation Eminent Domain Bought it outright Other NA
Explain:
- 2) What is the RLF Grantee's affiliation and/or relationship, if any, with the selected site's owner/operator or other companies previously operating at the site property?
Explain:
- 3) Is the EPA RLF grant recipient a past owner or operator at the property? YES NO
If yes, explain.
- 4) Is the loan/subgrant applicant potentially liable for the contamination at the site?
 YES NO
- Did the loan/subgrant applicant cause or contribute to the contamination at this property?
 YES NO
- Did they generate or transport any waste brought to the site? YES NO
If YES explain:
- 5) Is the loan/subgrant applicant affiliated with anyone who is potentially liable for the contamination at the site such as past owners or operators (e.g., through direct or indirect familial relationship or contractual, corporate, or financial relationship)? YES NO
If YES, explain:
- 6) Is the loan/subgrant applicant a 501(c)(3) non-profit? YES NO
Please attach proof, (e.g. IRS form).

- 7) Describe the operational history of the property. Identify how and when, to the extent possible, the site became contaminated and describe, to the extent possible, the nature and extent of contamination.
- 8) Discuss the current and proposed future use of the property.
- 9) Specify what was done to conduct All Appropriate Inquiries (ASTM Phase I Environmental Site Assessment or equivalent) prior to the time the prospective RLF Loan Borrower or Subgrantee acquired the property, including date(s) of Phase I report(s) and the standard(s) used to prepare the report(s), and for whom they were prepared.
- 10) Describe additional steps that have been taken to assess the contamination at the site, including a brief overview of the findings of any Phase II or III Environmental Site Assessments that have been conducted.
- 11) Describe the specific appropriate care that the current property owner has exercised (or if the prospective property owner has yet to acquire the property, the exercises that will be taken upon acquiring the property) with respect to hazardous substances found at the property by taking reasonable steps to: a) stop any continuing releases; b) prevent any threatened future release; and c) prevent or limit exposure to any previously released hazardous substance.
- 12) Provide confirmation that the current property owner will: a) Comply with all land-use restrictions and institutional controls; b) Assist and cooperate with those performing the cleanup and provide access to the property; c) Comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and d) Provide all legally required notices.

13) Identify known on-going or anticipated environmental enforcement actions related to the property:

C1 PETROLEUM ONLY PROPERTIES (SITES)

Provide the following information to your State to make the property eligibility determination. If the State is unable to make the determination, EPA will make the determination.

1) In order to determine that the site is of relatively low risk compared to other petroleum-only properties (sites) in the State, provide information stating whether the property is currently being cleaned up using Leaking Underground Storage Tank trust fund monies, or is subject to a response under the Oil Pollution Act.

2) Provide information regarding whether any party can be identified that is subject to either:
(a) a judgment 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 property; 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.

3) Provide information regarding whether the party having such legal obligations has adequate financial resources to meet the obligation.

4) Provide information regarding whether or not the loan/subgrant applicant caused or contributed to the petroleum contamination located on the property.

5) Is the property subject to any corrective action order issued under RCRA Section 9003(h)?

YES NO

If YES, explain:

D1 SITES NOT ELIGIBLE FOR FUNDING WITHOUT A 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) Is the property subject to a unilateral administrative order, court order, administrative order on consent or judicial consent decree, or has your site/facility been issued a **permit** 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 (SWDA)? YES NO

- 3) Is your property subject to corrective action orders under RCRA (sections 3004(u) or 3008(h)) and has a corrective action permit or order been issued or modified to require the implementation of corrective measures? YES NO

- 4) Is your site/facility a land disposal unit 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?
 YES NO

- 5) Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA? PCB contamination above 50 ppb? YES NO

- 6) Has your site/facility received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund? YES NO

Note: If you answered YES to any of the above, please call your EPA Project Officer for an explanation of how to prepare a property specific determination.

E1 NATIONAL HISTORIC PRESERVATION ACT (NHPA) COMPLIANCE

- 1) Is your selected property (site) currently listed in the National Register Of Historic Places and/or is it a designated National Landmark? YES NO

In order to support your response, 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.)

2) Is your selected property (site) eligible to be listed in the National Register Of Historic Places?
 YES NO

In order to support your response, 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.)

3) Is your selected property (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

F] SITES NOT ELIGIBLE FOR FUNDING

Note: If you answer YES to any of the following questions, your site is not eligible for Brownfields funding.

1) Is your site listed or proposed for listing on the National Priorities List? YES NO

2) Is your site 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 site subject to the jurisdiction, custody, or control of the US government? YES NO

Comment Space for EPA Project Officer:

Approval is/is not granted for Revolving Loan Funds at the above-described property:

Project Officer

Date: