
City of Atlanta Brownfields Revolving Loan Fund

Loan Pre-Application to Determine Borrower and Site Eligibility

Instructions

The Applicant shall complete this entire form and provide all requested documentation and information and sign where indicated. Applicant is notified that the information contained herein will be utilized by the State Environmental Improvement and Energy Resources Authority (EI ERA) and United States Environmental Protection Agency to make an initial determination as to whether the Project meets threshold eligibility qualifications of EPA's Brownfield Revolving Loan Fund Program. (Applicant shall attach additional pages if necessary to achieve full disclosure of the information sought.) If eligibility is determined in the affirmative, the Applicant will be required to submit additional information and documents including but not limited to substantial financial disclosure to allow further determinations including to permit EI ERA to undertake a credit risk evaluation and funding recommendation and final decision.

Please submit all application materials to:

INVEST ATLANTA
133 PEACHTREE ST. NE
ATLANTA, GA 30303
ATTN: SMALL BUSINESS LOANS
404-880-4100
kspencer@investatlanta.com

In this document, "you" refers to the Applicant.

Applicant Identification

Name of Applicant: _____

Legal Name of Applicant, if different: _____

Previous Names of Applicant, if any: _____

Key Contact Person and Title: _____

Business Mailing Address: -----

----- Phone: _____ Fax: _____

Email: _____

Applicant Tax ID/EIN: _____

Legal Form of Applicant: **Check Applicable Box**

Individual/Sole Proprietorship

For-Profit Corporation Indicate State and Date of

Incorporation: _____ Not-For-Profit Corporation Indicate State

and Date of Incorporation: _____ Partnership Indicate

State and Date of Formation:

Limited Partnership Indicate State and Date of Formation:

Limited Liability Company Indicate State and Date of Organization: _____

Political Subdivision or quasi-governmental agency

Describe in detail:

Other

Describe:

Attach to this fully completed form true and accurate copies of Articles of Organization (if a LLC), Articles of Incorporation (if a corporation), Certificate of Limited Partnership (if a limited partnership), Tax Exempt Status Letter, etc.

State the principal amount requested and whether the request is for a loan and/or a subgrant

_____ **Loan**

_____ **Sub-grant**

Note that only political subdivisions, quasi-governmental agencies and non-profit entities that own the project site are eligible for sub-grants. Sub-grants may not exceed \$100,000 and will require development plans that provide for non-profit or green-space use, incorporate green design, use existing infrastructure, address environmental justice issues and/or demonstrate that the project meets the needs of a community unable to draw on other resources. Eligible applicants will be required to furnish additional information to address these criteria on the full application.

Identify each and every person or entity with at least a ten percent (10%) ownership interest in the Applicant:

Name of Owner	Address	% of Ownership

Identify each and every person or entity with a managerial role (director, officer, manager, general partner, council members, etc.) with the Applicant:

Name	Address	Title

Identify the Property for which the funds are requested:

Address: _____

Parcel I.D.# (if **applicable**): -----

Approx. Acreage: _

General Description of Existing Improvements:

General Description of Proposed Project (You should include a general description of the proposed use (e.g. retail, residential, office, etc.); description of anticipated improvements (i.e. number and size of buildings etc.) and approximate capital investment):

Current Zoning of Project Site: _____

Is a change in zoning required for Proposed Project? Yes No
If so, explain how and when zoning will be obtained:

Identity of Immediate Prior Owner of the Property (or Current Owner if you are not current owner):

Address of Immediate Prior Owner of the Property (or Current Owner if you are not current owner). For petroleum-contaminated properties only, list any and all prior known owners:

Date You Acquired Title to the Property (or expect to acquire title if you are not current owner):

Method Property was acquired (purchase, donation, imminent domain, tax sale, etc.)

Provide a true and accurate copy of the conveyance deed by which you acquired title to the Property, if you currently own the Property.

If you are not the current owner or anticipate becoming the current owner, provide the date and manner in which you obtained, or will obtain, control over or access to the property. (Note: all subgrantees must own the property by the time of approval).

Provide a true and accurate copy of all documents granting you control or access to the property.

Description of Environmental Problems:

General Description of Nature, Scope and Extent of Contamination:

To the extent you have such knowledge, describe in detail the dates (time period) and manner in which the Property became contaminated:

Is the property contaminated by a controlled substance, petroleum or a petroleum product, or is the property mine scarred land? If so, please describe generally the state/contamination of the property. If contamination includes a known Underground Storage Tank, include tank number if known:

You must provide along with this Application true and accurate copies of any and all ASTM Phase 1/11 environmental site assessments, reports, studies, surveys and/or inspections relating to the Property which are in your possession, custody and control.

Identify any and all other documents not in your possession, custody or control of which you are aware which contain or may contain information relative to the environmental condition of the Property:

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To the best of your knowledge, information and/or belief, answer the following by checking the appropriate box:

Is the Property currently listed, or proposed for listing on the National Priorities List?

Yes No Don't Know

Is the Property subject to a unilateral administrative order, court order, administrative order on consent, or judicial consent decrees under CERCLA?

Yes No Don't Know

Is the Property subject to the jurisdiction, custody or control of a federal governmental agency, except for land held in trust for an Indian tribe?

Yes No Don't Know

Is the Property subject to a planned or ongoing removal action under CERCLA?

Yes No Don't Know

Has the Property been issued a permit or entered into a unilateral administrative order, court order, administrative order on consent or judicial consent decree under RCRA, FWPCA, TSCA, or SOWA.

Yes No Don't Know

Is the Property subject to RCRA corrective action (Sec. 3004(u) or 3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures?

Yes No Don't Know

Is the Property a land disposal unit that has submitted a RCRA closure notification or is the Property subject to closure requirements specified in a closure plan or permit?

Yes No Don't Know

Has there been a release of PCBs and all or a portion of the Property is subject to TSCA remediation?

Yes No Don't Know

Has the Property been the beneficiary of LUST trust fund money?

Yes No Don't Know

If the property is contaminated with a petroleum related substance, has a viable responsible party been identified?

Yes No Don't Know

Is the applicant suspended, debarred or otherwise ineligible from receiving federal funds?

Yes No Don't Know

Potentially Responsible Party Status:

State whether you, or any of the persons or entities identified as owners/managers above, are or were affiliated with any previous owner, tenant, occupant or operator of the Property (if you were, you may be legally and financially responsible for cleanup). For purposes hereof, "affiliation" shall be given its broadest interpretation and shall include, but not limited to: contractual relationships; overlapping or common ownership or management; current or former employment; agency relationships, etc. (Describe in detail the nature of such affiliation, current or former):

Conditional CERCLA Liability Protection

The 2002 Brownfields Amendments to the Superfund law provide conditional CERCLA liability protection to landowners who qualify as bona fide prospective purchasers, contiguous property owners or innocent landowners. BFPPs, CPOs and ILOs must perform all appropriate inquiry prior to purchase and must buy without knowing or having reason to know of contamination on the property. To the best of your knowledge, information and/or belief, answer the following by checking the appropriate box:

Has the landowner complied with land use restrictions and not impeded the effectiveness or integrity of any institutional control employed in connection with a response action?

Yes No Don't Know

Has the landowner taken reasonable steps to stop continuing releases, prevent any threatened release and prevent or limit human, environmental or natural resource exposure to any previously released hazardous material?

Yes No Don't Know

Has the landowner provided full cooperation, assistance and access to persons that are authorized to conduct response actions or natural resource restorations?

Yes No Don't Know

Has the landowner complied with CERCLA information requests and administrative subpoenas?

Yes No Don't Know

Has the landowner provided legally required notices related to the discovery or release of hazardous substances at the facility?

Yes No Don't Know

The Applicant hereby certifies, warrants and represents that the information provided herein is complete, true and correct to the best of your knowledge, information and belief. In responding to the questions and requests for information set forth in this document, the Applicant has consulted an environmental professional and reviewed all environmental reports relating to the Property available to the Applicant. Applicant understands and acknowledges that the Georgian Environmental Protection Division (EPD) and the United States Environmental Protection Agency are relying on the information contained herein in making eligibility determinations and financing decisions and have the right to so rely. Further, by signing below the Applicant acknowledges and understands that, if Applicant is selected for a funding, EPD and EPA will require, among other things, that any and all environmental cleanup/remediation funded with EPA funds be undertaken in Georgia's Voluntary Cleanup Program administered by the Georgia Department of Natural Resources. Eligibility determinations and funding recommendations do not constitute a final award. Awards are not final until all documents are executed and all conditions precedent to the award are met.

Applicant: _____

By (Signature): _____

Print Name: _____

Title: _____

Date: _____