



BROWNFIELDS CLEANUP REVOLVING LOAN FUND Borrower's Checklist

To determine loan eligibility, the following information must be submitted to the New Hampshire Department of Environmental Services (DES):

- Application Form: A completed application form obtained from DES.
- Environmental Site Assessment: An environmental site assessment that conforms to the procedures of the American Society of Testing and Materials (ASTM) E1527-05, entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." This report must be no greater than 6 months old at the time of loan application.

For properties acquired prior to November 1, 2006, a Phase I Environmental Site Assessment conforming to the procedures of ASTM E1527-00 or equivalent is sufficient.

- Redevelopment Plans: A description of the proposed redevelopment and future property use. A reduced size copy of (11" x 17") of existing and proposed site layout plans should be provided, if available.
- Environmental Compliance History: Information regarding the Borrower's overall compliance history including any penalties resulting from environmental non-compliance at the site subject to the loan.
- Project Budget: A proposed budget for the cleanup project, including a detailed description of each task. Identify the specific activities for which the loan proceeds will be used and the specific activities for which the 20% cost share contribution will be applied. Eligible cleanup costs include:
 - Preparation of a Remedial Action Plan that conforms to the requirements of Env-Or 606.10.
 - Oversight of cleanup activities.
 - Installation of fences, warning signs, or other security or site control precautions.
 - Installation of drainage controls.
 - Stabilization of berms, dikes, impoundments; or drainage or closing of lagoons.
 - Capping of contaminated soils.
 - Using chemicals and other materials to retard the spread of the release or mitigate its effects.
 - Excavation, consolidation, or removal of contaminated soils.
 - Removal of drums, barrels, tanks, or other bulk containers that contain or may contain hazardous substances, pollutants, or contaminants, including petroleum.
 - Removal of source materials, including free product recovery.
 - Containment, treatment, or disposal of hazardous materials and petroleum contamination.
 - Site monitoring activities, including sampling and analysis, that are reasonable and necessary during the cleanup process, including determination of the effectiveness of the cleanup.
 - Site assessment activities that are reasonable, necessary, and incidental to the cleanup process, such as confirmation sampling.
 - Preparation of a quality assurance project plan (QAPP).
 - Costs associated with meeting public participation and worker health and safety requirements, e.g., preparation of Community Relations Plans and Health and Safety Plans respectively.

- Proposed Repayment Terms: DES tailors each cleanup loan to the specific needs of the borrower and project, consistent with our needs. Interest rates are generally fixed at 3%, however repayment schedules and options are negotiated with each borrower. While we seek and prefer to make short-term "bridge" style loans with 5-year terms or less, in certain cases we will consider longer payment terms, taking into consideration the need for long-term availability of funds. Please include proposed repayment terms.

- ❑ \$250 Application Fee: The fee should be provided in the form of a check or money order payable to the “Treasurer, State of NH.” State and local government including local school districts, counties and political subdivisions are exempt from paying the application fee.
- ❑ Credit Review: The New Hampshire Business Finance Authority (BFA) performs all credit analyses and reviews all proposed loan terms for prospective private RLF borrowers and provides DES with a written opinion on the risks of making the loan. The New Hampshire Treasury Department provides the same service for public RLF borrowers. The BFA or Treasury Department will request and review financial and legal records of prospective borrowers for credit assessment purposes. Information requested may include but is not limited to:
 - The legal structure of the applicant (corporation, partnership, limited liability partnership), its ownership and its Board of Directors if applicable.
 - Business name, location, principal owners/stockholders, type of business and products/services, date established.
 - The adequacy, timeliness and completeness of the applicant’s financial statements (audited or unaudited).
 - The applicant’s record of earnings and cash flow.
 - The applicant’s history of borrowing and adherence to the terms and conditions of past loans.
 - The integrity and ability of the applicant’s management ownership and Board of Directors if applicable.
 - The applicant’s credit references: financial institutions and other creditors.
 - Applicant’s equity (10 percent or more) or additional collateral to make the loan more financially feasible.
 - Maximum loan amount in any related program.
 - Compliance with Federal and State regulations, requirements and conditions.
 - A Business Plan: a description of the business goals, strategies and action plans.
 - A Financial Plan: pro-forma financial statements which demonstrate the economic viability of the project and identify sources of repayment for the loan.

All cleanups must be performed in conformance with the requirements of New Hampshire Code of Administrative Rules Env-Or 600 *Contaminated Site Management*. Cleanups performed with RLF loan proceeds must also comply with the following requirements:

- ❑ Community Relations and Public Involvement in Cleanup Activities: Borrowers must prepare a community relations plan describing how the recipient plans to satisfy the following public involvement requirements:
 - Providing notice of the availability of the Remedial Action Plan for public review and comment and holding a public information meeting.
 - Preparation of written responses to significant and appropriate comments, and documentation of any changes to the cleanup plan.
 - Preparation of an administrative record (i.e., local information repository) and notification to the public of its availability for inspection at a location convenient to the general public.
- ❑ Quality Assurance (QA) Requirements: When environmental samples are collected as part of any brownfields cleanup (e.g., cleanup verification sampling, post-cleanup confirmation sampling), borrowers shall submit to DES and EPA for approval a Quality Assurance Project Plan (QAPP) prior to the collection of environmental samples. The QAPP must document quality assurance practices sufficient to produce data adequate to meet project objectives and minimize data loss.
- ❑ Historic Properties or Threatened and Endangered Species: If historic properties or threatened or endangered (T&E) species may be impacted by the cleanup of a site, the requirements of the National Historic Preservation Act (NHPA) or the Endangered Species Act (ESA) may apply, respectively. Borrowers are required to consult with DES prior to conducting any on-site activity (such as invasive sampling or cleanup) that may affect historic properties or T&E species to ensure that the requirements of Section 106 of NHPA and Section 7(a)(2) of the ESA are met.