



Brownfield Cleanup Revolving Loan Fund

Implementation Plan

October 2020 – September 2025

*This Brownfield Cleanup Revolving Loan Fund (BCRLF) Implementation Plan is a living document to be used **for general guidance only** and may be revised from time-to-time based on the dynamic Brownfield environment. Potential Applicants are encouraged to contact the LDEQ Brownfields Program Contacts below to discuss their project and how the LDEQ's Brownfields Program may be able to help.*

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Date of Last Revision: May 10, 2021

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Terms and Definitions

Applicant: Entity or person applying for a loan or subgrant from the BCRLF

Borrower: Entity or person who has been awarded a cleanup loan from the BCRLF

Payback Period: The amount of time from when the loan is closed/loan documents are executed to when the loan is repaid in full.

Repayment Period: The amount of time from the Repayment Start Date as specified in the loan documents to when the loan is repaid in full.

Repayment Start Date: The date the first loan payment is due, as specified in the loan documents.

Request for Funding Application: Application for a cleanup loan and/or subgrant from the LDEQ BCRLF

Subgrantee: Entity or person who has been awarded a cleanup subgrant from the BCRLF

ABCA: Analysis of Brownfield Cleanup Alternatives

BCRLF: Brownfield Cleanup Revolving Loan Fund

BCART: Brownfield Cleanup Advisory Round Table

CA: Cooperative Endeavor Agreement (Grant Agreement between EPA and LDEQ)

CRP: Community Relations Plan

LDEQ: Louisiana Dept. of Environmental Quality

QAPP: Quality Assurance Project Plan

QEP: Qualified Environmental Professional (in the case of the BCRLF Program, the LDEQ staff person overseeing the cleanups)

USEPA: U.S. Environmental Protection Agency

VRP: Voluntary Remediation Program

1.0 Overview

Brownfield sites are vacant and/or underutilized properties where environmental concerns prevent their redevelopment and reuse. The goal of LDEQ's Brownfields Program is to help address these concerns, including supporting environmental cleanups of Brownfield sites, to restore these blighted properties into neighborhood assets, creating local community amenities and economic development opportunities.

Supported by a grant from the U.S. Environmental Protection Agency's (USEPA's) Brownfields and Land Revitalization Program, the Louisiana Department of Environmental Quality's (LDEQ's) Brownfield Cleanup Revolving Loan Fund (BCRLF) Program supports the redevelopment of Brownfield sites by providing qualified applicants the necessary capital to clean up contaminated properties to facilitate their reuse. As many funders are reluctant to finance a project with outstanding environmental issues, the goal of the program is to establish a revolving loan fund to provide gap funding to address environmental issues at the Site and better position the project for traditional financing.

This Implementation Plan outlines the plan of action for LDEQ's BCRLF Program funded by EPA Cooperative Agreement (CA) No. BF-01F89601, with a project period from October 1, 2020, through September 30, 2025 (unless otherwise extended by EPA).

This Implementation Plan is a living document **used for general guidance** and may be revised from time to time based on the dynamic Brownfield environment.

1.1 Geographic Focus Areas

LDEQ's BCRLF will initially focus on three geographic areas as stated in the grant application submitted to EPA in December 2019. These areas were chosen based on the momentum already underway by local Brownfield Programs and project partners to support Brownfield redevelopment:

- Shreveport Common in Shreveport
- Historic Downtowns of Monroe and West Monroe
- Rural areas such as Arabi in St. Bernard Parish

If projects are not ready for cleanup in the initial target areas, LDEQ may solicit projects from other areas of the State in order to fully utilize the funding.

Resources for identifying sites include:

- BCRLF Partners (see Section 2.1)
- Local Brownfield Programs
- Entergy's Louisiana Site Selection Tool: <https://louisianasiteselection.com/>
- Louisiana Economic Development's database of Opportunity Zone projects: <https://www.louisianaopportunityzones.com/>
- Outreach to target communities (see Section 2.0)

If a site falls within the jurisdiction of the South Louisiana BCRLF Coalition which includes the South Central Planning and Development Commission, the Acadiana Planning Commission, Baton Rouge City/ Parish and the city of Lake Charles (South Louisiana BCRLF), or the Shreveport BCRLF jurisdiction, LDEQ will contact the those BCRLF programs to determine if their funding can be utilized for the cleanup prior to accepting an application for a site in their geographic region.

2.0 Community Involvement

2.1 Brownfield Cleanup Advisory Roundtable

To ensure continued community involvement in BCRLF activities, LDEQ established a Brownfield Cleanup Advisory Roundtable (BCART). BCART members assist with community outreach to ensure projects align with the community's vision and serve an advisory role to identify and vet potential BCRLF sites. Activities of the BCART include:

- Assist with community outreach to promote the BCRLF and solicit sites from the community. Examples of assistance include (but are not limited to):
 - Distribute information through their community networks, including social media sites
 - Provide meeting space (virtual or, when appropriate, in person)
 - Identify potential speakers for BCRLF-related outreach
 - Propose innovative community outreach methods/ provide feedback on how to best reach their communities
 - Assist with execution of outreach events
 - Assist with soliciting community feedback on BCRLF activities
 - Provide additional assistance to promote the BCRLF
- Propose and recommend projects for funding under the BCRLF and assist with working with Applicants to complete the Request for Funding Application and related documents.
- Review BCRLF Request for Funding Applications to determine if projects are a good investment for the BCRLF and align with community goals.

2.1.1 BCART Members

The purpose of the BCART is to solicit input from a variety of stakeholders and effectively reach communities affected by projects funded by the BCRLF. In order to achieve this, BCART members will represent the diversity of stakeholders involved in the Brownfield process as well as the community. BCART members may include:

- LDEQ Brownfields Team
- Representatives from the local Brownfields Programs/ Brownfield Grantees
- Representatives from local government departments involved in Brownfield Redevelopment
- Community Members involved in Brownfield Redevelopment and/or Community Engagement such as:
 - Local community nonprofits
 - Mission-Driven Developers
 - Environmental Justice representatives
 - Economic Development organizations
- Representative from the Louisiana Brownfields Association (LBA)
- EPA Region 6 Project Officer (Ex-Officio - invited to listen in to keep them informed of progress)
- Other members that the BCART and/or LDEQ determines would be helpful to include

A list of current BCART members is included in Appendix A (may be updated from time to time).

2.1.2 BCART Kick Off Meeting

The initial BCART meeting was held on Jan. 28, 2021, to:

- Review the goals, purpose and constraints of the BCRLF
- Familiarize BCART members with the purpose and the role of the BCART
- Solicit feedback on the Implementation Plan and related documents

- Provide input on marketing strategies
- Discuss ideas for community outreach in the Focus Areas

2.1.3 Regular BCART Meetings

After the initial BCART meeting, the BCART will meet on a regular basis to:

- Review, discuss and provide feedback on potential projects and BCRLF Request for Funding Applications
- Discuss and plan outreach activities
- Update the Implementation Plan as needed

It is anticipated that the BCART will meet on a quarterly basis with additional meetings as needed to review Request for Funding Applications.

3.0 Marketing and Outreach

3.1 Marketing Firm

Marketing and outreach are key to the success of the BCRLF. In order to effectively reach impacted communities and potential applicants, LDEQ will contract with an experienced marketing firm to develop and implement a comprehensive marketing and outreach strategy. Once selected, the marketing firm will work cooperatively with LDEQ and the BCART in developing the marketing and outreach plan to ensure that it effectively meets the needs of the community and successfully promotes the BCRLF.

3.2 Reaching Potential Applicants

Marketing efforts will focus on potential applicants to facilitate a pipeline of projects to fully utilize the BCRLF. Examples of potential applicants include:

- Local or national businesses expanding or relocating to the State of Louisiana
- Local private developers
- National developers
- Non-profit community development organizations
- Public and quasi-public entities

In order to reach potential applicants and promote the program, LDEQ will reach out to various organizations connected to the real estate community including but not limited to:

- Local Economic Development Foundations such as the St. Bernard Economic Development Foundation
- Louisiana Realtors Association
- Urban Land Institute – Louisiana District Council
- Louisiana Municipal Association
- Commercial Real Estate Development Association
- Louisiana Bankers Association & Local Banks/ Financial Institutions
- Community Reinvestment Act Officers at Local Banks/ Financial Institutions
- Louisiana Chamber of Commerce Association & Local Chambers
- Louisiana Brownfield Association
- Louisiana Municipal Association (LMA and their technical assistance arm, LaMATS)
- Louisiana Police Jury Association (LPJA)

3.3 Community Outreach and Input

As with our overall Brownfields Program, LDEQ will collaborate with local Brownfield Programs, governments and communities to communicate project progress, understand local challenges, & gather feedback on reuse plans. For projects funded by the BCRLF, LDEQ will utilize BCART member expertise and the local community's engagement plan to ensure marketing and communication methods match up with community demographics and needs. In our focus communities, LDEQ will partner with local organizations such as the Ouachita Coalition's Brownfields Advisory Committee which includes the cities of Monroe and West Monroe and Ouachita Parish, and Shreveport Common, a nonprofit focused on redeveloping a historic, long-blighted nine-block area on the western edge of downtown Shreveport.

4.0 Applicant Eligibility Requirements

4.1 Loan Applicants

4.1.1 Eligibility Requirements for Loan Applicants

Eligible applicants for loan funding include public, private and nonprofit entities. **Applicants must be non-responsible parties**, i.e. not responsible for causing or contributing to contamination at the site, and **adhere to EPA' Continuing Obligations Requirements** as noted in Appendix B. Applicants must also demonstrate that they meet the requirements for one of the **Landowner Liability Protections** as a Bona Fide Prospective Purchaser (BFPP), Contiguous Property Owner (CPO), or Innocent Landowner (ILO), as defined by EPA.

4.1.2 Property Ownership for Loan Applicants

Loan Applicants are not required to own the property prior to or throughout the term of the loan unless ownership is required for the purpose of securing collateral or LDEQ otherwise determines that borrower site ownership is necessary. If the Loan Applicant does not own the site, the Loan Applicant will need to present legal documentation demonstrating that all legal owners consent to the cleanup activities as part of the Request for Funding Application.

4.1.3 Loan Discounts

Public and nonprofit entities who own the site to be cleaned up are eligible for a loan discount up to 30% of the amount of the loan as noted in the Loan Structure Section. Eligible entities for loan discounts are defined under CERCLA §104(k)(1), which includes public entities, nonprofit organizations exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and other nonprofit organizations as defined at 2 CFR § 200.70. Nonprofit institutions of higher education as defined at 2 CFR § 200.55 are also eligible. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities¹ are not eligible.

4.2 Subgrant Applicants

In order to create an ongoing source of funding for environmental cleanups at Brownfield sites throughout the state, LDEQ's preference is to award loans under the BCRLF that will be repaid. However, in select circumstances a subgrant may be awarded in order to fully utilize the funds or to support a project of particular community interest. Subgrants will only be considered once the requirement to use at least 50% of the total grant award for loans and programmatic expenses is met.

¹ As defined in Section 3 of the Lobbying Disclosure Act of 1995

4.2.1 Eligibility Requirements for Subgrant Applicants

Eligible applicants for subgrants include eligible entities as defined under CERCLA §104(k)(1), which includes public entities, nonprofit organizations exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, and other nonprofit organizations as defined at 2 CFR § 200.70. Nonprofit institutions of higher education as defined at 2 CFR § 200.55 are also eligible for cleanup subgrants. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities and State of Louisiana departments/agencies are not eligible for subgrants.

Applicants must be non-responsible parties, i.e. not responsible for causing or contributing to contamination at the site, and **adhere to EPA' Continuing Obligations Requirements** as noted in Appendix B. Applicants must also demonstrate that they meet the requirements for one of the **Landowner Liability Protections** as a Bona Fide Prospective Purchaser (BFPP), Contiguous Property Owner (CPO), or Innocent Landowner (ILO), as defined by EPA.

4.2.2 Property Ownership for Subgrants

Applicants for subgrants are required to own the property at the time of award and retain ownership of the site throughout the period of performance. Subgrantees must consult with the EPA Project Officer prior to transferring title or otherwise conveying the real property comprising the site. For the purposes of this agreement, the term “owns” means fee simple title unless EPA Project Officer approves a different ownership arrangement.

4.3 DUNS and SAM Registration

Applicants must have a Federal “unique entity identifier” [currently a Data Universal Number System (DUNS) number] and be registered and in good standing on the Federal Government’s System for Award Management (www.SAM.gov). (Note: The DUNS number system is in the process of being phased out. Applicants may be required to register for a unique entity identifier through SAM.gov.) Applicants that are currently suspended, debarred, or otherwise declared ineligible for Federal funding are prohibited from receiving funding through the BCRLF.

5.0 Project/ Site Eligibility

Projects funded through the BCRLF must meet the following eligibility requirements:

- The site must meet the EPA definition of a Brownfield site: a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- The proposed reuse must be for a community benefit and/or be income producing. Examples of projects that are for a community benefit include but are not limited to:
 - ◆ Health center
 - ◆ Fresh food center in a neighborhood that is a food desert
 - ◆ Park/recreational space open to the community
 - ◆ Nonprofit incubator
 - ◆ Affordable multi-family housing

Examples of income producing properties include but are not limited to:

- ◆ Rental housing
- ◆ Mixed Use developments
- ◆ Commercial developments such as:
 - Restaurants
 - Office buildings

- Retail
- ◆ Industrial developments
- ◆ Manufacturing
- Proposed cleanup costs must be eligible for EPA Brownfield Funding (see Eligible Costs and Ineligible Costs sections below).
- The site must be located in the State of Louisiana. Initially, sites in the target areas identified in the grant proposal (Shreveport Common, downtown Monroe and West Monroe, and rural areas throughout the state) will be given preference.
- The proposed cleanup must be protective of human health and the environment and the cleanup plan must be approved by LDEQ.
- The site must be enrolled in LDEQ's Voluntary Remediation Program (VRP). *Note: LDEQ is in the process of removing this requirement. However, as of the date of this Implementation Plan, this requirement is still in place. Applicants can choose to submit an application for funding for a non-VRP site with the understanding that it will only be approved when the requirement is removed.*

5.1.1 Sites with Petroleum Contamination

If funding is being requested to address petroleum contamination at the site, the following additional eligibility requirements apply:

- There must be no viable responsible party for the site.
- The person cleaning up the site must be a person who is not potentially liable for the cleanup. For BCRLF purposes, an entity generally will not be considered potentially liable for petroleum contamination if it has not dispensed or disposed of petroleum or petroleum-product at the site, has not exacerbated the contamination at the site, and has taken reasonable steps with regard to addressing and limiting the contamination at the site.
- The site is not subject to any order issued under Section 9003(h) of the Solid Waste Disposal Act.

If the site is eligible for the Louisiana Motor Vehicle Fuels Trust Fund, contact the LDEQ Brownfield Coordinator to determine if the site is eligible for BCRLF funding.

5.1.2 Historic Properties

Prior to conducting or engaging in any on-site activity with the potential to impact historic properties (such as invasive sampling or cleanup), the Applicant shall consult with LDEQ and the State Historic Preservation Office (SHPO) regarding potential applicability of the National Historic Preservation Act (NHPA) (16 USC§ 470) and, if applicable, shall assist LDEQ in complying with any requirements of the NHPA.

In addition, often Brownfield sites are also eligible for State and Federal Historic Tax Credits. LDEQ encourages Applicants that are considering applying for Historic Tax Credits to coordinate early with the SHPO to coordinate cleanup activities with the restoration and ensure that the proposed activities will not impact tax credit eligibility.

5.1.3 Ineligible Sites

Sites that are ineligible for funding include:

- Facilities listed, or proposed for listing, on the National Priorities List (NPL).
- Facilities subject to unilateral administrative orders, court orders, and administrative orders on consent or judicial consent decree issued to or entered by parties under CERCLA.
- Facilities that are subject to the jurisdiction, custody, or control of the United States government except for land held in trust by the United States government for an Indian tribe.

- A site excluded from the definition of a brownfield site for which EPA has not made a property-specific funding determination.

5.2 Eligible Costs

All costs that are either reimbursed by the LDEQ BCRLF or used as cost share must relate directly to the cleanup of the site and meet EPA eligibility requirements for Brownfield cleanup funding. Examples of eligible costs include but are not limited to:

- Costs related directly to the cleanup of a Brownfield site as detailed in the LDEQ-approved cleanup plan, including installing institutional and/or engineering controls and securing the site. An example of an engineering control is construction of a parking lot or building foundation that also caps and prevent exposure to contaminated soil.
- Limited site characterization to confirm the effectiveness of the proposed cleanup design or the effectiveness of a cleanup once an action has been completed.
- Ensuring that public participation requirements are met. This includes preparing a Community Relations Plan² which will include reasonable notice, opportunity for public involvement and comment on the proposed cleanup, and response to comments.
- Preparing and updating an Analysis of Brownfield Cleanup Alternatives (ABCA).¹
- Developing a Quality Assurance Project Plan (QAPP) as required by 2 CFR § 1500.11.¹

Other costs related directly to the cleanup may also be eligible if approved by LDEQ and EPA prior to being incurred. All costs must be approved by LDEQ in writing prior to being incurred in order to be eligible for reimbursement from the BCRLF.

5.3 Ineligible Costs

Costs that are not eligible for BCRLF funding or to meet the cost share requirement are documented in the Cooperative Agreement between EPA and LDEQ and related regulations. Ineligible costs include but are not limited to:

- Environmental assessment activities, including Phase I and Phase II Environmental Site Assessments and Risk Evaluation/ Corrective Action Plan (RECAP) investigations.
- Monitoring and data collection necessary to apply for, or comply with, environmental permits under other federal and state laws, unless the permit is required as part of the cleanup action.
- Construction, demolition, and site development activities that are not cleanup actions (e.g., marketing of property, construction of a new facility, or addressing public or private drinking water supplies that have deteriorated through ordinary use, etc.).
- Job training activities unrelated to performing a specific cleanup at a site covered by a loan or subgrant.
- To pay for a penalty or fine.
- To pay a federal cost share requirement (e.g., a cost share required by another federal grant) unless there is specific statutory authority.
- To pay for a response cost at a brownfield site for which the applicant of the subgrant or loan is potentially liable.

² Note: The Community Relations Plan, Analysis of Brownfield Cleanup Alternatives, and Quality Assurance Project Plan are required as part of the BCRLF Application, so practically, the costs of developing these documents are not eligible for LDEQ BCRLF funding but are eligible to count toward the Applicant's cost share if not paid for using Federal funding (e.g. another Brownfield grant). LDEQ may choose to assist with these documents through our Targeted Brownfields Assessment Program.

- To pay a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the cleanup.
- Unallowable costs (e.g. lobbying, purchases of alcoholic beverages) under 2 CFR 200, Subpart E.

In addition, borrowers shall not use loan funds for indirect costs even if the borrower has an indirect cost rate approved by a cognizant Federal agency.³

6.0 Application

Parties wishing to apply for funding under the BCRLF will complete the BCRLF Request for Funding Application included in Appendix C and attach the following:

- LDEQ-Approved Cleanup Plan
- Community Relations Plan (CRP)
- Analysis of Brownfield Cleanup Alternatives (ABCA)
- EPA Quality Assurance Project Plan (QAPP) & EPA QAPP checklist
- Redevelopment Plan
- Qualifications of the borrower or subgrantee to make legitimate use of the funds, including resumes of owners (specifically including development experience of team or individuals)
- Resolution from the Applicants governing authority per Louisiana R.S. 30:2552
- Additional attachments as specified in the Application

Additional documents and information may be required in order to assist with the evaluation of the project and the Applicant(s).

If the project is selected for funding, the Applicant(s) will also be required to provide Financial Review Documents for the fiscal analysis.

Applicant(s) who need assistance with developing the cleanup plan, CRP, ABCA and/or QAPP may apply to LDEQ's or EPA's Targeted Brownfields Assistance Program or to their local Brownfields Program for assistance.

6.1 LDEQ-Approved Cleanup Plan

Applicants are required to have an **LDEQ-approved cleanup plan** prior to applying for funding.⁴ Examples of Cleanup Plans include:

- Voluntary Remedial Action Plan
- RECAP Corrective Action Plan⁴
- Other Cleanup Plan as approved by the LDEQ QEP⁴

6.2 Community Relations Plan

EPA and LDEQ strongly encourage community involvement in the redevelopment of Brownfield sites, including providing opportunities for the community to provide feedback on the proposed cleanup and reuse plan and for the applicant/ developer to respond to that feedback. In order to provide information on how the applicant plans to involve the community in the project, Applicants are required to submit a **Community Relations Plan** with their Application and includes the following information:

- Name of site, address, LDEQ agency interest number(s)

³ In accordance with H.B.6.e. of the EPA Cooperative Agreement's Programmatic Conditions

⁴ Pending change to LAC Title 33: Environmental Quality; currently only sites enrolled in the LDEQ's Voluntary Remediation Program are eligible for funding.

- Name of key contact person and location of information repository with applicable environmental records
- Site description and history
- Proposed redevelopment of the site
- Planned remedial actions
- Community background
- Community involvement activities (past and future)

Applicants are encouraged to contact local community partners in determining the best ways to communicate information and solicit input from the affected community. The Community Relations Plan will be reviewed by the BCART which may provide feedback on the proposed outreach activities. The Community Relations Plan must be approved by LDEQ prior to funding being awarded.

6.3 Analysis of Brownfield Cleanup Alternatives

Applicants shall prepare an Analysis of Brownfield Cleanup Alternatives (ABCA), which will include information about:

- The site;
- Contamination issues (i.e., exposure pathways, identification of contaminant sources, etc.);
- Cleanup standards;
- Applicable laws;
- Cleanup alternatives considered (including no action); and
- The selected cleanup method and rationale for selection.

The evaluation of alternatives must include effectiveness, ability to implement, and the cost of the response proposed. The evaluation of alternatives must also consider the resilience of the remedial options to address potential adverse impacts caused by extreme weather events (e.g., sea level rise, increased frequency and intensity of flooding, etc.). The evaluation will include an analysis of reasonable alternatives including no action. The cleanup method chosen must be based on this analysis. Additional information about ABCA requirements is available at: <https://www.epa.gov/brownfields/programmatic-requirements-brownfield-grants#environ>.

Unless previously approved by EPA, the Applicant will submit a draft ABCA to LDEQ for initial review. Once initially approved by LDEQ, LDEQ will submit the ABCA to EPA for review. Upon preliminary approval by EPA, the applicant is required to conduct a 30-day public comment period including notifying the public of the availability of the ABCA for review, providing a copy of the ABCA at repositories that are easily accessible to the general public (e.g. the public library closest to the site, online, at a local government office near the site, etc.), providing an opportunity for the public to comment and a response to any comments received, and, if requested by LDEQ or the public, holding a public meeting about the proposed cleanup activities and/or reuse. The project can move forward once the public comment period ends and all comments are addressed, and LDEQ and EPA approve the final ABCA. (Note: Additional public notice requirements may be required depending on the LDEQ Program(s) applicable to the cleanup.)

6.4 Quality Assurance Project Plan

The applicant will prepare an EPA Quality Assurance Project Plan (QAPP) and complete an EPA QAPP checklist for any environmental data collected as part of the Brownfield cleanup (e.g. cleanup verification sampling, post-cleanup conformation sampling, air monitoring, etc.). The QAPP details how data will be collected, handled, and analyzed in order to verify data validity. Additional information on EPA QAPP requirements is available at: www.epa.gov/quality/epa-gar-5-epa-requirements-quality-assurance-project-plans. EPA must approve the QAPP before the cleanup starts and costs are incurred.

6.5 Redevelopment Plan

Applicants will submit a Redevelopment Plan with their Application that describes the proposed project and how BCRLF monies will be used. For more information on what to include in the Redevelopment Plan, refer to the BCRLF Request for Funding Application.

6.6 Qualifications of Borrower/ Subgrantee

Applicants will submit the qualifications of the borrower/subgrantee to demonstrate that the applicant will make appropriate use of BCRLF funds. Examples of documents to submit are noted in the BCRLF Request for Funding Application.

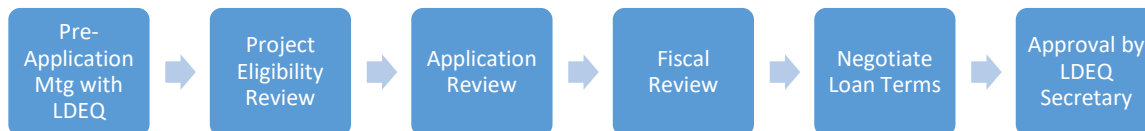
6.7 Financial Review Documents

If recommended for funding by the BCART, Applicants will be required to submit financial review documents, as noted in the Application, to evaluate the feasibility of the cleanup and redevelopment being completed on time and within budget, and for loans, the likelihood of repayment. Additional financial review documents may be required based on the project and the applicant.

Applicants are reminded that the Application is a public document and will be posted on LDEQ's publically accessible Electronic Database Management System (EDMS). Applicants are encouraged to attach any private financial documents as a separate appendix that is easily redacted from the Application and request that the information be redacted before it is publically posted.

7.0 Project Selection Process

LDEQ's Brownfield Coordinator will oversee the site selection process including organizing meetings, ensuring paperwork moves through the process expeditiously, and communicating progress to EPA, LDEQ Team Members and the BCART. The process outlined below is a general guideline and may be adjusted as needed as the BCART gains experience with the site selection progression. Final approval by the LDEQ Secretary or their designee will be required for any funding request prior to issuing a loan/ subgrant agreement.



7.1 Pre-Application Meeting with LDEQ

Projects for the BCRLF will be solicited from the community, development partners, BCART members, environmental consulting firms, and other Brownfield partners. Potential applicants will be encouraged to meet with the LDEQ Brownfield Team to discuss their proposed redevelopment project and cleanup prior to submitting a full Application. The LDEQ Brownfield Team will assist with determining if the project is a good fit for BCRLF funding and work with the Applicant to ensure they have the required documents to apply. *Note: It is the Applicant's responsibility to complete the Application and prepare all the required documents. LDEQ is available to assist with feedback and clarification but is not responsible for completing any of the required Application materials.*

If not already involved, the Brownfield Coordinator will connect with the applicable local Brownfields Program, government entities, and neighborhood groups/ community associations to ensure they are aware of the project and it is in line with the community's vision.

Once a BCRLF Request for Funding Application is received as outlined in Section 6 and Appendix C, it will be reviewed using the process outlined below.

7.2 Project Eligibility Review

Applicants will submit a completed BCRLF Request for Funding Application to the LDEQ Brownfield Team. The LDEQ Brownfield Team will review the Application to determine if the applicant and the site are eligible for funding. If there are issues with the Application (e.g. missing or unclear information), the LDEQ Brownfield Team will work with the Applicant to address the issues prior to formal review by the BCART.

Eligibility considerations include:

- Has the nature and extent of contamination at the site been fully characterized and is the cleanup plan complete?
- Does the site meet the EPA definition of a Brownfield site?
- Is the applicant a non-responsible party? If they are the site owner, did they complete EPA All Appropriate Inquiries prior to taking ownership of the site?
- Is the applicant a Bona Fide Prospective Purchaser (BFPP), Contiguous Property Owner (CPO), or Innocent Landowner (ILO)?
- Are the proposed cleanup costs eligible for EPA Brownfield Funding?
- Is the amount requested less than \$200,000⁵ and within the grant budget?
- Has the applicant received any adverse audit findings?
- Is the applicant registered in www.SAM.gov and eligible to receive Federal funding? (Required before the funding can be awarded.)

LDEQ's Brownfield Technical Liaison will review the Cleanup Plan, ABCA, QAPP and CRP to ensure they meet LDEQ and EPA requirements as applicable. The LDEQ's Brownfield Technical Liaison must approve all documents prior to moving forward in the application process. If approved for funding, the ABCA and QAPP will also need to be approved by EPA before funds are drawn down.

If the LDEQ Brownfield Team determines the project is eligible for funding, the Brownfield Team will submit a Property Eligibility Determination Request to the EPA Region 6 Project Officer for approval. Once the EPA Region 6 Project Officer approves the Property Eligibility Determination Request, the Application moves forward to BCART review.

If the LDEQ Brownfield Team determines the project is NOT eligible for funding or the EPA Project Officer denies the Property Eligibility Determination Request, and efforts to work with the Applicant to address eligibility issues have not been successful, the Brownfield Team will inform the Applicant in writing that the project is not eligible for BCRLF funding and provide the reason for that determination.

7.3 Application Review

Once a project is determined to be eligible for funding, the LDEQ Brownfield Coordinator sends the Application to the BCART for review and feedback. Consideration factors include but are not limited to:

- Target Area
 - Is the site located in a Target Area identified in the original grant proposal?
- Alignment with the Community's Vision
 - Does the community support the project?
 - Does the project conform to local planning regulations (e.g. zoning) and documents (e.g. City Master Plan) and community vision documents?

⁵ Pending change to LAC Title 33: Environmental Quality which would raise the limit from \$200,000 to \$500,000.

- Amount of Funding Requested
 - What is the size of the project and anticipated benefits relative to the amount requested?
 - Is the Applicant requesting a loan or a subgrant? (Loans are preferred in order to provide funding for future cleanups.)
 - How does the amount requested relate to the overall cleanup costs? What funding is committed to cover the cost of cleanup above the funding amount requested?
 - What is the amount and source of the proposed cost share? (Higher levels of cost share from committed sources are preferred.)
- Projected Community Benefits
 - How will the surrounding community and the overall community benefit from this project?
- Projected Economic Impacts
 - What are the projected number of jobs to be created during the cleanup? During the redevelopment and reuse?
 - What leveraged funding is committed/ in progress for the cleanup and redevelopment? What is the projected investment from other sources for the redevelopment?
- Feasibility of project coming to completion
 - Is there a redevelopment plan in place? How detailed is the plan?
 - What funding is committed or being pursued for the redevelopment? What is the developer’s level of investment in the project?
 - Does the project conform to local zoning and planning regulations? If not, has a variance already been granted?
 - Has the applicant successfully completed similar projects?
 - What is the projected timeline for the cleanup? What is the projected timeline for the redevelopment? Is there a reasonable projected turnaround time for loan repayment (if applicable)?
- Incorporation of resilient design (e.g. energy efficiency, alternative energy, green infrastructure, green/low waste construction, use of recycled materials, adaptability to climate change, etc.) into the cleanup and/or redevelopment
- Other factors that may be deemed important by the local community (e.g. affordable housing, public art, etc.)

If the Application is recommended for funding by the BCART, the Application will move on to Fiscal Review.

If the BCART does not recommend the project for funding, the Applicant will be informed of the decision in writing along with the rationale. The Applicant will be given the opportunity to request clarification and to revise their Application to address the concerns noted and resubmit.

7.4 Fiscal Review

Once the project is recommended for funding by the BCART, the Application moves to the Fiscal Review stage. The fiscal review will be conducted by the LDEQ Fund Manager who will analyze the financial information submitted by the Applicant to determine:

- The risk associated with awarding funding to the Applicant and the project;
- The likelihood of the project being successfully redeveloped based on the financial resources available and the past financial history of the Applicant(s); and
- The likelihood of loan repayment (if applicable).

Additional information on the Fiscal Review is included in Appendix D.

Risk factors that may be considered as part of the financial evaluation include, but are not limited to:

- Prior experience/ success with same or similar projects;
- Funds committed to the project to complete the cleanup and redevelopment of the site;
- Successful repayment of previous loans/ debts;
- Results of previous audits;
- Whether the borrower has new or substantially changed personnel or systems; and
- Extent and results, if any, of federal awarding agency or the pass-through entity's monitoring of the borrower.⁶

If a project fails the fiscal review, LDEQ will inform the Applicant in writing that their application has been denied including the reason the project failed the fiscal review.

If the project passes the fiscal review, the LDEQ Fund Manager will recommend loan terms based on the project and the financial risks involved.

7.5 Negotiation of Loan Terms

If the Application passes the fiscal review, the LDEQ Brownfield Coordinator and Fund Manager will negotiate loan terms with the Applicant(s) based on the fiscal review. Additional information on loan terms is included in Section 9.0.

7.6 Approval by LDEQ Secretary

Projects recommended by the BCART for funding and that pass fiscal review will be recommended for approval by the LDEQ Secretary or their designee who will make the final decision as to whether or not the request for funding is approved and the acceptability of the loan terms.

8.0 Execution of a Loan/Subgrant



8.1 Loan/ Subgrant Agreement Documents Executed

Once the LDEQ Secretary or their designee approves the funding request, the LDEQ Brownfield Team will work with the LDEQ Fiscal/Contract Team to draft the loan/subgrant documents.

Loan/ subgrant documents will include information required by 2 CFR §200.331(a) regarding subgrants. (See <https://www.epa.gov/grants/grants-policy-issuance-gpi-16-01-epa-subaward-policy-epa-assistance-agreement-recipients> for additional information.) Additional terms and conditions to be included in loan/ grant documents are noted in Appendix E.

Draft loan/subgrant documents will be sent to the Applicant for review and comment prior to execution. Once LDEQ and the Applicant approve the document language, the LDEQ Fiscal/ Contracts Team will move forward with executing the documents.

For loans, the Applicant's counsel is responsible for submitting any mortgages with the appropriate clerk of court and providing verification to the BCRLF Fund Manager unless otherwise arranged with LDEQ. Additional Applicant requirements are noted in Section 9.8 Other Costs of Loan Issuance and 10.4 Other Costs of Subgrant Issuance.

⁶ In accordance with G.C.7.e. of the EPA Cooperative Agreement's Programmatic Conditions

Once the loan/subgrant documents are approved by both LDEQ and the Applicant, the LDEQ Brownfield Coordinator will arranged a signing ceremony to sign, notarize and fully execute the documents.

8.1.1 Original Loan/Subgrant Documents

The LDEQ Fund Manager will be responsible for the original loan/subgrant documents, with copies provided to the LDEQ Brownfield Coordinator and Technical Advisor, and posted in LDEQ's Electronic Database Management System. One original will also be provided to the Applicant.

8.2 Cleanup

8.2.1 Pre-Cleanup Activities

Prior to any cleanup activities or draw down on loan/subgrant funds, the following documents must be approved by LDEQ:

- Cleanup Plan
- Community Relations Plan

In addition, the following documents must be approved by LDEQ and EPA:

- Analysis of Brownfield Cleanup Alternatives
- Quality Assurance Project Plan (if applicable)

The Applicant will also secure any necessary permits, permissions, or the like required by State, local or Federal regulations. Costs associated with permits and other permissions directly related to the cleanup are eligible costs for a BCRLF loan/ subgrant or to be counted towards the Applicant's required cost share.

In addition, the Applicant and property owner will comply with EPA's Continuing Obligations as outlined in Appendix B, including securing the site.

8.2.2 Cleanup Schedule

Applicant will provide a schedule with dates for major milestones including (but not limited to):

- Anticipated start date
- Dates for field work
- Anticipated end date

8.2.3 Project Monitoring

The LDEQ Qualified Environmental Professional (QEP) will monitor the cleanup to ensure it meets Federal and State regulatory requirements and is completed in a timely manner.

Awardees will be required to submit monthly monitoring reports to the LDEQ QEP documenting the work completed and milestones achieved as well as any issues encountered and their effect on cleanup activities, cleanup costs, and the projected schedule. Additional requirements for monthly monitoring reports will be included in the loan/subgrant agreement documents.⁷

If a loan is deemed higher risk or if an awardee fails to perform cleanup activities according to the projected schedule, additional requirements may be placed such as⁸:

- A retention amount may be applied to invoices to be paid once the cleanup is complete.
- Additional, more detailed financial reports may be required;

⁷ In accordance with G.C.7.vii. of the EPA Cooperative Agreement's Programmatic Conditions

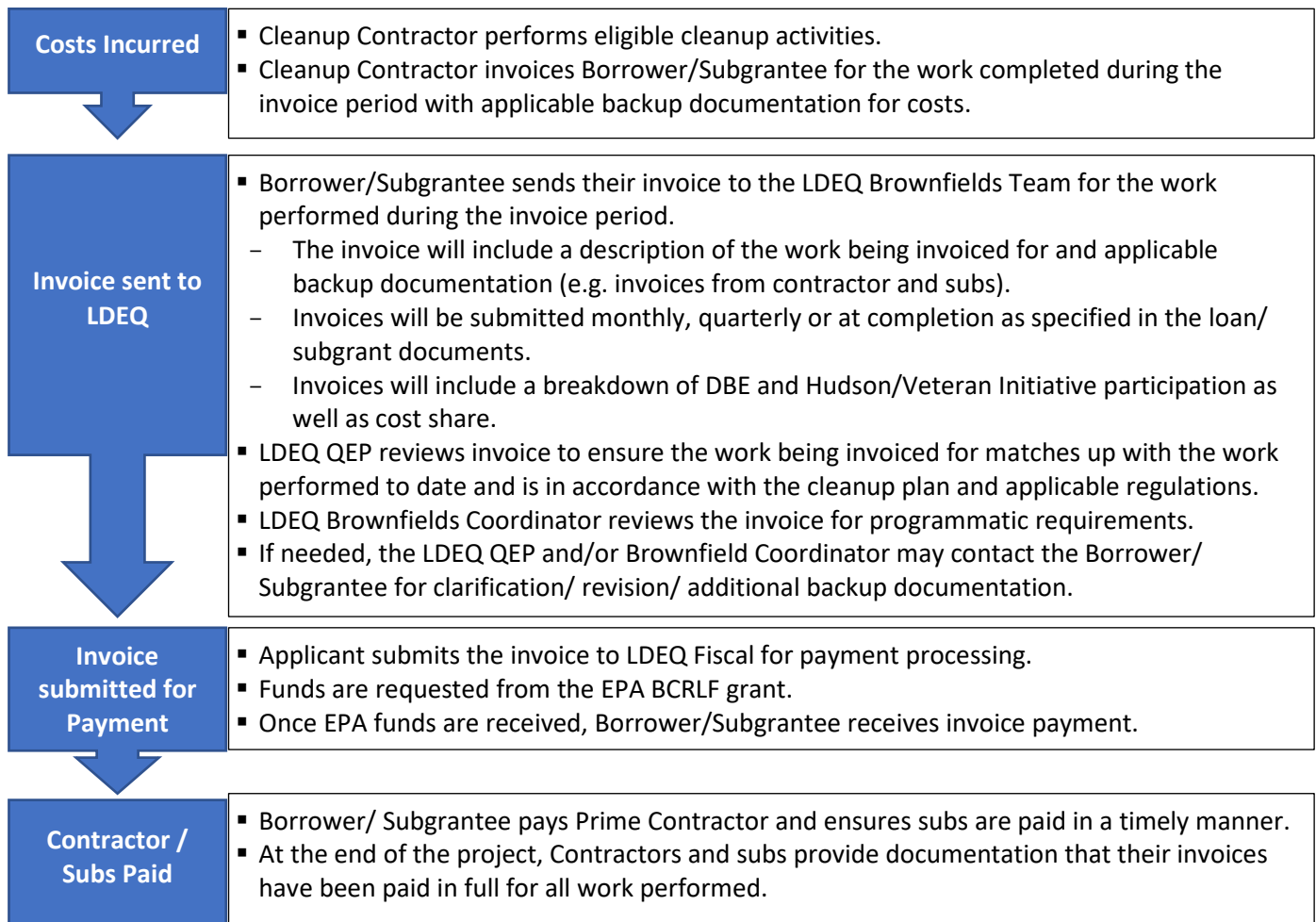
⁸ In accordance with G.C.7.f. of the EPA Cooperative Agreement's Programmatic Conditions

- Additional project monitoring may be required; and/or
- Additional requirements may be added to facilitate successful completion of the project.

8.2.4 Disbursement of Loan/Grant Funds

Funds will be dispensed as costs are incurred. Appropriate documentation must be attached to each invoice to demonstrate compliance with grant requirements, justify the amount being requested, and document that the expenses incurred are eligible costs under the BCRLF including cost share. The final invoice will not be paid until the LDEQ QEP designates the cleanup as complete in writing. Within 30 days after payment of the final invoice, Borrowers/Subgrantees will be required to provide documentation that all contractors, including subcontractors, have been paid.

The general invoicing process is as follows:



8.3 Loan Repayment

For projects awarded loan funding, the LDEQ Brownfield Coordinator & Fund Manager will track loan repayments to ensure payments are made on time and deposited into an interest-bearing account designated as BCRLF Program Income. The timing and schedule for the loan repayment will be included in the loan documents. The process for loan repayment includes:

- LDEQ Fiscal issues an invoice to the Borrower with the payment amount and due date in accordance with the loan agreement.

- Borrower submits payment to LDEQ Fiscal Department, either via a check or electronically.
- The loan payment, including any interest paid, is deposited into an interest bearing account and designated as BCRLF Program Income.

There is no penalty for early repayment. In general, refinancing of loans will not be considered unless there are extenuating circumstances.

9.0 Loan Structure

LDEQ will work with Applicant to structure the loan so as to benefit the project as a whole and support the redevelopment of the site. Guidelines and considerations in setting loan terms include:

9.1 Maximum Loan Amount

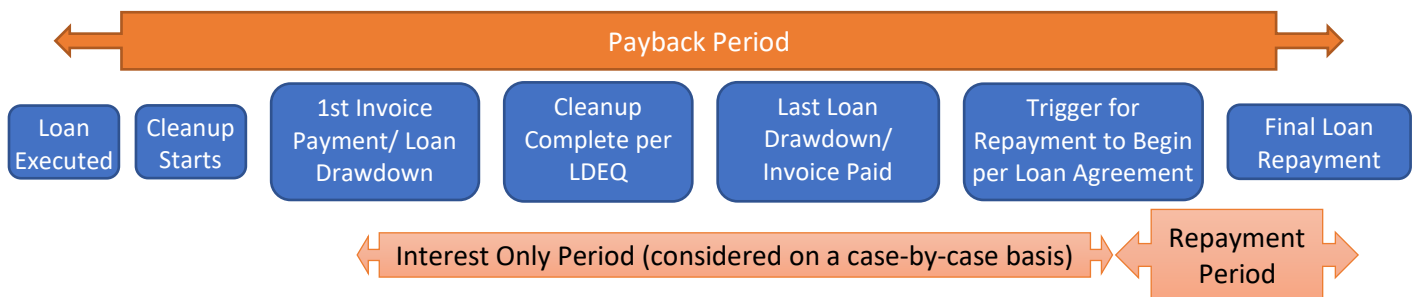
- The maximum loan amount is \$200,000⁹ unless otherwise approved by LDEQ.
- The loan amount will not exceed the recoverable value of the collateral used to secure the loan. For instance, if the property is used for collateral and is valued at \$400,000 but already has a \$250,000 mortgage, the maximum loan amount would be \$150,000.
- The total loan amount will not exceed the amount remaining in the grant budget for loans and subgrants.

9.2 Minimum Loan Amount

- Given the time and resources necessary to review and process a loan application, in general, requests for funding less than \$100,000 will not be considered.

9.3 Loan Repayment Period

The loan repayment period, the time when the Borrower is actively paying back the loan principal, should be structured to minimize the total payback period, the time between when the loan is executed and the time when the loan is paid back in full.



BCRLF funding is design as gap funding to help address environmental risks and concerns at a site. Ideally, once the environmental concerns are addressed, other sources of funding will be activated to both redevelop the site and pay back the cleanup loan, allowing BCRLF funds to be used for additional projects. General considerations for the loan repayment period include:

- The Loan Repayment Period should be set at no more than 5 years, with shorter payback periods preferred.
- The trigger for the Loan Repayment Period (Repayment Start Date) will be specified in the Loan Agreement documents. Examples include (but are not limited to):

⁹ Pending change to LAC Title 33: Environmental Quality which would raise the limit from \$200,000 to \$500,000.

- Completion of the cleanup as documented with a No Further Action Letter, a Certificate of Completion or other approval from LDEQ.
- Redevelopment of the property/ Certificate of Occupancy.
- A specified amount of time after the cleanup is complete.

In addition, the Loan Agreement will specify a maximum amount of time for the repayment period to begin (e.g. within 2 years of the first loan drawdown).

Examples:

- *Repayment of the loan shall commence upon completion of the cleanup or within two (2) years of the first loan drawdown, whichever occurs first.*
- *Repayment of the loan shall commence upon a certificate of occupancy issued to the redeveloped property, or one (1) year after the cleanup is complete, or within two (2) years of the last loan disbursement, whichever occurs first.*

Considerations in determining the loan repayment period include:

- Funding source of repayment and timing.
 - Does the project need longer term financing to allow the project to generate income for loan repayment?
 - Or does the project need shorter-term financing until another form of financing is obtained? (e.g. Does the Borrower intend to apply for an umbrella loan to pay back the cleanup loan and to finance the redevelopment?)
- Projected timeline for redevelopment once the cleanup is complete
- Availability and timing of redevelopment funding

9.3.1 Early Repayment

Early repayment of remainder of the loan amount plus interest accrued through the date the final payment is received can be made at any time without penalty.

9.4 Interest Rate

- The interest rate will be set between 0% and the current market rate.

Considerations for determining the interest rate:

- Length of the payback period, including any timeframe before the repayment period begins. Shorter payback periods may be awarded lower interest rates.
- Percent of the cleanup funded through the BCRLF and other sources of funding to complete the cleanup.
- Likelihood of repayment based on the financial review and funding already committed to the redevelopment. Projects determined to be lower risk/ more likely to be completed through redevelopment and that have redevelop funding committed to the entire project may receive lower interest rates.
- Community benefits of the project. Projects that have a higher positive community impact may be eligible for lower interest rates.
- Non-profit/ public entities may be eligible for lower interest rates for projects with significant community benefits.

9.5 Cost Share

Each loan will be required to contribute at least 20% cost share to the project, with projects providing a higher level of cost share preferred. The amount and source of cost share will be included in the Application and documented on invoices. The amount will be included in the loan agreement documents.

The cost share amount may be in the form of a contribution of money, labor, material, or services from a non-federal source. The cost share contribution must be for costs that are eligible and allowable under the cooperative agreement between EPA and LDEQ, be supported by adequate documentation, and otherwise comply with 2 CFR § 200.306.

9.6 Collateral Requirements

- All loans will be required to produce collateral equal to or greater than the value of the loan.
- Examples of collateral include (but are not limited to):
 - Mortgage on the property if owned by the applicant and if the value of the property less any other mortgages, liens, or other encumbrances is greater than the amount of the loan. For example, a property valued at \$400,000 with a \$250,000 bank mortgage and a \$50,000 lien would be able to serve as collateral up to a \$100,000 loan.
 - Mortgage on another property owned by the applicant up to the value of the property less any other mortgages, liens, or other encumbrances.
 - Escrow account.
 - Dedicated financing/ revenue mechanisms.
 - Bond agreement with LDEQ as the bond holder (municipalities).
 - Other collateral approved by LDEQ.

9.7 Discounted Loans

- In order to “revolve” the funding and allow the maximum amount of funding available for future cleanups, full loans are preferred to discounted loans. However, in certain circumstances, public and eligible non-profit applicants are eligible to apply for a loan discount up to 30% of the loan amount, not to exceed \$200,000.
- 501(c)(4) entities of the Internal Revenue Code that engage in lobbying activities are not eligible for loan discounts.
- A discounted loan cannot be combined with a subgrant.

Considerations for awarding a discounted loan include:

- What is the local community / economic benefit of the redevelopment? Do the benefits justify the amount being discounted?
- What sources of funding are committed to the reuse? What is the likelihood of the project coming to completion?
- Is this project a priority for the community?

Financial need alone will not warrant a discounted loan. The project must show significant local community / economic benefit to the community surrounding the site as well as the ability to repay the remainder of the loan amount in a timely manner.

9.8 Other Costs of Loan Issuance

Other costs that the Applicants should be aware that they are responsible for include:

- Title insurance
- Professional fees from parties outside of LDEQ staff associated with the review and execution of the loan
- Appraisal and survey fees
- Recording fees for real estate
- Credit reports for Applicant(s) including key individuals and the entity as a whole
- UCC (Unified Commercial Code) filing fees for property and equipment
- Appraisal and valuation fees
- Tax certificates
- Hazard insurance, with the LDEQ named as loss payee
- Life Insurance for key applicant(s)/ staff members
- Flood Insurance if the property is located in a FEMA flood area
- Voluntary Remediation Program application and review fees
- LDEQ review and oversight fees

9.9 Loan Default

In the event of a loan default, LDEQ shall make reasonable efforts to enforce the terms of the loan agreement including proceeding against the assets pledged as collateral to cover losses to the loan. If the cleanup is not complete at the time of default, LDEQ will:

- Document the nexus between the amount paid to the Borrower and the cleanup that took place prior to the default;
- Secure the site; and
- Inform the EPA Project Officer.¹⁰

Collection procedures for delinquent loans will include, but are not limited to:

1. Written notification of late fee assessment.
2. Written reminder notices of delinquency to the Borrower at fifteen (15) and thirty (30) days delinquency.
3. Follow-up reminder notices with telephone contacts with the Borrower at thirty (30) days delinquent and as necessary thereafter.
4. Personal contact with the Borrower after thirty (30) days delinquent and on-site inspections of the project.
5. Notification of Default at sixty (60) days delinquency. Exercise of remedies per loan documentation.

10.0 Subgrants

Although loans are preferred, in some cases, cleanup subgrants may be awarded to eligible entities (specified in Section 4.2.1). Note that per to the Cooperative Agreement with EPA, at least 50% of the total grant amount plus cost share must be spent on loans and related programmatic costs (\$480,000). It is recommended that subgrant applications not be considered until at least 50% of the total grant amount plus cost share is distributed in loans and programmatic costs.

¹⁰ In accordance with J.C.1 of the EPA Cooperative Agreement Programmatic Conditions

To determine whether a cleanup subgrant is appropriate, LDEQ and the BCART will consider¹¹:

- The feasibility of success of the overall project and the track record of the Applicant for successfully completing similar projects;
- The extent to which the subgrant will facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property, or other property used for nonprofit purposes;
- The extent to which the subgrant will meet the needs of a community that has the inability to draw on other sources of funding for environmental remediation and subsequent redevelopment of the area in which a brownfield site is located because of the small population or low income of the community;
- The extent to which the subgrant will facilitate the use or reuse of existing infrastructure; and
- The benefit of promoting the long-term availability of funds from a revolving loan fund for brownfield remediation.

LDEQ and the BCART will document their rationale for awarding a subgrant as opposed to issuing a loan for the project and keep documentation of the rationale with the project record. A subgrant can be awarded in conjunction with a loan but, as noted in Section 9.7, a subgrant cannot be combined with a loan discount.

10.1 Maximum Amount

In accordance with the Cooperative Agreement with EPA, no subgrant will exceed \$350,000 per site.

10.2 Minimum Amount

There is no minimum subgrant amount; however, requests for at least \$50,000 are preferred given the time and resources necessary to review the application and issue a subgrant agreement.

10.3 Cost Share

Each subgrant will be required to contribute at least 20% cost share to the project, with projects providing a higher level of cost share preferred. The amount and source of cost share will be included in the Application and documented on invoices. The amount will be included in the subgrant agreement documents.

The cost share amount may be in the form of a contribution of money, labor, material, or services from a non-federal source. The cost share contribution must be for costs that are eligible and allowable under the cooperative agreement between EPA and LDEQ, be supported by adequate documentation, and otherwise comply with 2 CFR § 200.306.

10.4 Other Costs of Subgrant Issuance

Other costs that the Applicants should be aware that they may be responsible for include:

- Title insurance
- Hazard insurance, with the LDEQ named as loss payee
- Life Insurance for key applicant(s)/ staff members
- Flood Insurance if the property is located in a FEMA flood area
- Voluntary Remediation Program application and review fees
- LDEQ review and oversight fees

¹¹ In accordance with H.B.4 of the EPA Cooperative Agreement Programmatic Conditions

11.0 Utilization of Disadvantaged/ Hudson/Veteran Businesses

Applicants are encouraged to utilize Small, Minority-owned and Women-owned Business Enterprises as well as those certified through the Louisiana Hudson/ Veterans Initiatives in cleanup activities funded by the BCRLF and in redevelopment activities. The BCART may choose to award special consideration to applications that plan to utilize disadvantaged business enterprises (DBEs) and/or have taken the following good faith efforts:

- Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities.
- Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs.
- Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- Use the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency of the Department of Commerce.

A list of minority- and women-owned businesses certified through the Louisiana Unified Certification Program is available at: www8.dotd.la.gov/UCP/UCPSearch.aspx. Other DBE certifications (e.g. SBA, local programs, etc.) may also be considered.

A database of Hudson Initiative (Small Entrepreneurship) Certified Vendors is available at: www.doa.la.gov/Pages/osp/se/secv.aspx.

A list of vendors certified through the Louisiana's Veteran Initiative (Veteran Small Entrepreneurship) Program is available at: www.doa.la.gov/Pages/osp/se/lavetcv.aspx.

12.0 Applicable Regulations and Federal Requirements

All loans and subgrants are to adhere to State and Federal requirements as noted in:

- Cooperative Agreement No. BF-01F89601 between LDEQ and EPA
- Louisiana Environmental Quality Act, Chapter 21: Statewide Beautification, Part II: Brownfield Cleanup and Redevelopment
- Louisiana Administrative Code, Title 33 Environmental Quality, Part VI Inactive and Abandoned Hazardous Waste and Hazardous Substance Site Remediation, Chapter 11: Brownfields Cleanup Revolving Loan Fund Program
- Louisiana Revised Statutes 30:2551-2552
- Other regulations and requirements as applicable

12.1 Compliance with Federal Cross-Cutting Requirements

Applicants awarded BCRLF funding must comply with federal cross-cutting requirements. These requirements include, but are not limited to:

- The Davis-Bacon Act prevailing wage requirements and associated U.S. Department of Labor (DOL) regulations for all construction, alteration, and repair contracts and subcontracts awarded.
- DBE requirements (40 CFR §33);
- OSHA Worker Health & Safety Standard (29 CFR §1910.120);

- Uniform Relocation Act (40 USC § 61);
- National Historic Preservation Act (16 USC § 470);
- Endangered Species Act (P.L. 93-205);
- Permits required by Section 404 of the Clean Water Act;
- Executive Order 11246, Equal Employment Opportunity, and implementing regulations (41 CFR §60-4);
- Contract Work Hours and Safety Standards Act, as amended (40 USC §§ 327-333);
- The Anti-Kickback Act (40 USC § 276c);
- Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250; and

12.2 Noting EPA Involvement

Borrowers/Subgrantees are to note EPA investment in the project during community outreach activities, including in any post-project summaries or success materials that highlight achievements to which the BCRLF contributed.

Any documents, fact sheets, and/or web materials developed as part of this cooperative agreement are to include the following statement:

"Though this project has been funded, wholly or in part, by EPA, the contents of this document do not necessarily reflect the views and policies of EPA."

If a sign is developed as part of a project funded by this cooperative agreement, then the sign shall include either a statement (e.g., this project has been funded, wholly or in part, by EPA) and/or EPA's logo acknowledging that EPA is a source of funding for the project. The EPA logo may be used on project signage when the sign can be placed in a visible location with direct linkage to site activities. Additional information on the use of the EPA logo is available at <https://www.epa.gov/grants/epa-logo-seal-specifications-signage-produced-epa-assistance-agreement-recipients>.

13.0 Documentation

The BCRLF Coordinator will maintain copies of all final documents submitted as part of the application process with the exception of financial review documents which will be maintained by the LDEQ Fund Manager. All final documents submitted as part of the application process with the exception of financial review documents will also be posted on LDEQ's publically available Electronic Database Management System (EDMS). Documents will be maintained for at least three (3) years after the termination of the BCRLF Cooperative Agreement between EPA and LDEQ and in accordance with the BCRLF Closeout Agreement between EPA and LDEQ (to be set up at grant closeout).

Appendix A: BCART Members

Partner	Point of Contact	Title
LDEQ	Rebecca Otte	Statewide Brownfields Coordinator/ BCRLF Coordinator
LDEQ	Jennifer Schatzle	Brownfield & VRP Technical Liaison/ Qualified Environmental Professional who will oversee the Cleanups
LDEQ	Duane Wilson	Brownfields Advisor
LDEQ	Estuardo Silva	Remediation Division Administrator
LDEQ	Sierra Trabeau	Financial Services/ Fund Manager
LDEQ	Roger Gingles	Office of Environmental Assessment Assistant Secretary
City of Monroe	Ellen Hill	Planning & Urban Dev. Director
City of Monroe	Giahanna Bridges	Brownfield Coordinator
City of West Monroe	Courtney Hornsby	Chief of Staff
City of Shreveport	Wes Wyche	Environmental Services Manager
St. Bernard Parish	Jason Stopa	Dir. of Community Development
Monroe Downtown Econ. Development District	Larry Bratton	Chair
West Monroe Downtown Revitalization Group	Karen Laban	Co-Chair
Southside Econ. Development District	Charles Theus	Executive Director
Southside Econ. Development District	Gladys Smith-Coward	Chair
Shreveport Common/ SRAC (nonprofit)	Wendy Benscoter	Executive Director
St. Bernard Economic Development Foundation	Meaghan McCormack	Executive Director
Louisiana Brownfields Association	Melanie Hanks	President
EPA Region 6 (Ex Officio)	Camisha Scott-Marshall	Grant Project Officer

Appendix B: EPA Continuing Obligations

In order to maintain liability protection and to continue to be eligible for Brownfield funding, landowners and loan/subgrant Applicants must meet the following continuing obligations:

Continue to comply with Land Use Restrictions and Institutional Controls:

- Be in compliance with any land use restrictions established or relied on in connection with the environmental cleanup;
- Not impede the effectiveness or integrity of any institutional or engineering control employed in connection with an environmental cleanup;
- Comply with land use restrictions and implement institutional controls even if the restrictions/controls were not in place at the time of purchase; and
- Comply with land use restrictions relied on in connection with the environmental cleanup even if restrictions haven't been implemented through an enforceable institutional control.

Reasonable Steps to protect human health and the environment:

- Stop continuing releases of hazardous materials at the site;
- Prevent threatened future releases of hazardous materials at the site; and
- Prevent or limit human, environmental, or natural resource exposure to earlier hazardous substance releases.

Cooperation, Assistance, and Access

Provide full cooperation, assistance, and access to persons authorized to conduct environmental cleanup or natural resource restoration, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial of environmental cleanup or natural resource restoration.

Compliance with Information Requests and Administrative Subpoenas

Comply with EPA and LDEQ information requests and administrative subpoenas.

Provision of Legally Required Notices

Provide legally required notices related to the discovery or release of hazardous substances at the facility. "Legally required notices" may include those required under federal, state, and local laws.

Appendix C: BCRLF Request for Funding Application



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

**LDEQ BROWNFIELD CLEANUP REVOLVING LOAN FUND
 REQUEST FOR FUNDING APPLICATION**

Completed application packets may be submitted by mail or email. LDEQ encourages Applicant to check with the LDEQ Brownfield Coordinator to ensure the application is received. Please submit one (1) set of the completed and typed application packet and any supplemental materials to:

Rebecca Otte, Statewide Brownfield Coordinator
 Louisiana Dept. of Environmental Quality
 Remediation Division
 P.O. Box 4314
 Baton Rouge, LA 70821-4314
 Phone: (504) 736-7069
 Email: Brownfields@la.gov

For LDEQ BCRLF Use Only
 LDEQ AI#: _____
 Date Submitted: _____
 Application #: _____
 Date PED approved by EPA: _____

Applications must be typed and all application questions must be answered. Attach and number additional pages as needed and use the numbering system in the application for additional information.

APPLICATION CHECKLIST

- Have you signed the application?**
- Completed and signed Application, including additional pages as needed for any required explanations
- Photographs of Site as it currently exists
- Site plan/map showing existing structures (drawn to scale)
- Copy of the Tax Assessor’s map with Site boundaries clearly outlined
- Copy of current site owner’s recorded deed
- Purchase/lease/ option to purchase agreement (if applicant is not the owner)
- Executed Site Access Agreement (if applicant is not the owner)
- Resumes of owners (for private entities), executive directors, and key staff members including the person who will be overseeing the project (specifically including development experience of team or individuals)
- Council/ Board Resolution or other formal documentation that states who has authority to act on behalf of the entity
- If applying with Co-Applicants: Board Resolutions and/or Operating Agreement documenting relationship between applicants and written formalized documentation that states who has authority to act on behalf of all entities

Businesses/ Corporations:

- Copies of Articles of Incorporation and Bylaws if applicant is a corporation; Articles of Organization and Operating Agreement if applicant is a LLC; or any written Partnership Agreement if applicant is a partnership

Nonprofit Organizations:

- Attach a thorough description of your organization, its overall mission, how long it has existed in the community and the number of persons employed directly and indirectly; also indicate if you are affiliated with a national organization
- Copies of Articles of Incorporation and Bylaws
- Documentation of nonprofit status with the IRS if Applicant



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

Provide copies of relevant environmental reports or a link to the report in LDEQ’s EDMS:

- Phase I Environmental Site Assessments (ESAs)
- Phase II ESAs/ RECAP Investigation Reports (as applicable)
- LDEQ-Approved Cleanup Plan
- Community Relations Plan
- Analysis of Brownfield Cleanup Alternatives
- EPA Quality Assurance Project Plan (QAPP) & QAPP Checklist

Provide information on the redevelopment plan and sources of funding:

- Redevelopment Plan including site plan/map post-redevelopment, construction plans, bid specifications & budget as available
- Copies of any estimates, bids, contracts, or quotations regarding work to be done or equipment to be purchased in connection with the project.
- Site Appraisal and/or Comparative Market Analysis
- Business Plan/Operation Plan for the Planned Reuse
- Documentation of other sources of funding for the cleanup and redevelopment of the site

* Note: LDEQ reserves the right to waive submission requirements and/ or request additional supporting documents as may be deemed necessary

FISCAL REVIEW CHECKLIST

To be submitted if the LDEQ Brownfield Team and the Brownfield Cleanup Advisory Roundtable (BCART) recommend funding the project, the Applicant will submit the following documents to the LDEQ Fund Manager for the fiscal review:

- 3 Years of Financials for all Owners and the Entity (Personal & for the Entity)
- 10 Year Financial Forecast
- Year to Date Business Financials
- Completed BCRLF Assurances Form;
- Completed W-9;
- EPA Certification Regarding Debarment, Suspension, and Other Responsibility Matters (EPA Form 5700-49);
- Documentation to show compliance with 2 CFR Part 170, Reporting Subaward and Executive Compensation under Federal Funding Accountability and Transparency Act (FFATA)
- Title Abstract and Title Insurance Documentation
- Any additional documents requested by LDEQ for the Fiscal Review.

Note: Contact the LDEQ BCRLF Fund Manager for assistance with these requirements: Brownfields@la.gov.

I. BASIC ELIGIBILITY SCREENING

1. According to EPA, a brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Does the Site meet the definition of a Brownfield?



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

- Yes No (Project is not eligible for funding)

If yes, explain how it meets the definition:

2. Will the redevelopment be income producing or for a public purpose/ community benefit?

- Income Producing Public Purpose/ Community Benefit
 Project will not be income producing or for a public purpose (Project is not eligible for funding)

3. Is the Applicant or any Co-Applicant suspended, debarred, or otherwise declared ineligible for federal or state financial assistance programs?

- Yes (said Applicant/ Co-Applicant is not eligible for funding) No

4. Did the Applicant or any of the Co-Applicants cause or contribute to the contamination at the site? Yes (said Applicant/ Co-Applicant is not eligible for funding) No

5. Is the Applicant or any Co-Applicant(s) affiliated or related in any way with former owner(s) or operator(s) 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 transport of hazardous substances located at or near the property, or any other entity or person that may be considered responsible for the contamination at the site?

- Yes (Applicant/Co-Applicant may not be eligible for funding) No

If yes, explain the affiliation and relationship:

6. Respond to the following questions by marking the appropriate box on the right:

Criteria	Yes	No	Unknown
Is the Site subject to unilateral administrative orders/court orders/consent decrees issued to or entered into by the Applicant, under CERCLA?			
Is the Site listed or proposed for listing on the National Priorities List?			
Is the Site subject to the jurisdiction, custody, or control of the United States Government?			

Sites that meet any of the criteria in the table above are not eligible for Brownfields funding.

If any of the criteria are Unknown, contact the LDEQ BCRLF Coordinator before proceeding with the application.

7. For projects requesting funding to cleanup Petroleum contamination:

Criteria	Yes	No	Unknown
Is there a viable responsible party to clean up the site?			
Is the site subject to any order issued under Section 9003(h) of the Solid Waste Disposal Act?			
Is the site eligible for LDEQ's Motor Fuel Trust Fund Program?			



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

If any of the above criteria apply, contact the LDEQ BCRLF Coordinator to determine if the site is eligible for funding.

II. LOAN/SUBGRANT REQUEST

A. REQUESTED FUNDING

Requested Assistance: Loan Subgrant

1. Amount Requested*:

Total Loan Amount Requested:	\$
Requested Loan Discount**:	\$
% of total Loan Amount:	%
Total Subgrant Amount Requested**:	\$
Total BCRLF Funding Requested (Loan Amount + Subgrant Amount):	\$
Applicant Cost Share:	\$
Cost Share % (Total Cost Share/ Total BCRLF Funding Requested):	%

** Actual amount awarded determined by LDEQ. Current maximum is \$200,000 unless otherwise approved by LDEQ.*

***Only governmental and qualified nonprofit entities are eligible for loan discounts (up to 30%) and subgrants. Please note that preference will be given to loans that will be repaid in full in order to revolve the funds to support future cleanup activities. Entities cannot request both a loan discount and subgrant.*

B. FOR LOAN APPLICANTS:

1. If requesting a loan, requested loan term (years): _____

2. Source of Repayment:

- Operating Profit Personal Income Sale of Assets Cash Flow
 Other:

3. Source of Collateral: Indicate preferred means of securing the loan:

C. FOR SUBGRANT APPLICANTS:

1. Describe the extent to which other funding is (or is not) available for the cleanup of the site:



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

2. Describe the extent to which the subgrant will facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property, or other property used for nonprofit purposes:

3. Describe extent to which the subgrant will meet the needs of a community that has the inability to draw on other sources of funding for environmental remediation and subsequent redevelopment of the area in which a brownfield site is located because of the small population or low income of the community:

4. Describe the extent to which the subgrant will facilitate the use or reuse of existing infrastructure:

D. COST SHARE

Cost Share is the amount the Applicant will contribute towards total cleanup costs. The cost share amount may be in the form of a contribution of money, labor, material, or services from a non-federal source. The cost share contribution must be for costs that are eligible and allowable under the cooperative agreement between EPA and LDEQ, be supported by adequate documentation, and otherwise comply with 2 CFR §200.306. Projects with a higher level of cost share are preferred.

Source of Cost Share:	Amount:	Committed?
	\$	
	\$	
	\$	
Total Amount of Cost Share (should match II.A.1.):		



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

E. USES OF BCRLF FUNDING

How will Loan/Subgrant funding be used? Include Project Costs for activities for which funding is being requested. Use the table below or attach a detailed project budget as necessary to fully describe costs. Examples of eligible costs under LDEQ’s BCRLF include:

- Costs related directly to the cleanup of a Brownfield Site, including implementing institutional controls and/or installing engineering controls and securing the Site.
- Limited Site characterization to confirm the effectiveness of a proposed cleanup design or the effectiveness of a cleanup once an action has been completed.

Type of Project Cost/ Activity to be Funded	Amount
	\$
	\$
TOTAL:	

Detailed Budget Table Attached

III. APPLICANT INFORMATION

A. APPLICANT

Business Name:		
Contact Person:	Title:	
Applicant Street Address:		
City:	State:	ZIP:
Applicant EIN/TIN:		
Applicant DUNS Number/ Unique Identifier Number:		
Is the Applicant registered on SAM.gov? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In progress		
Contact Email:		
Contact Phone (Office):	Contact Phone (Cell):	

B. CO-APPLICANT(S) IF APPLICABLE

Co-Applicant No. 1 Business Name:		
Contact Person:	Title:	
Co-Applicant Street Address:		
City:	State:	ZIP:
Co-Applicant EIN/TIN:		
Co-Applicant DUNS Number/ Unique Identifier Number:		
Is the Co-Applicant registered on SAM.gov? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In progress		
Contact Email:		
Contact Phone (Office):	Contact Phone (Cell):	



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

Co-Applicant No. 2 Business Name:		
Contact Person:	Title:	
Co-Applicant Street Address:		
City:	State:	ZIP:
Co-Applicant EIN/TIN:		
Co-Applicant DUNS Number/ Unique Identifier Number:		
Is the Co-Applicant registered on SAM.gov? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In progress		
Contact Email:		
Contact Phone (Office):	Contact Phone (Cell):	

C. APPLICANT HISTORY

1. Provide a brief description and history of the Applicant and, if applicable, any Co-Applicants (e.g. type of business, history with redevelopment projects, relationship to current owner, previous projects, etc.):

For the questions below, "Applicant" and "Co-Applicant" includes or any owner of the business/ executive of the nonprofit/ head of public agency.

2. Has the Applicant or any Co-Applicant ever filed for bankruptcy protection or other protection against creditors?
 Yes No
 If yes, attach explanation.
3. Is the Applicant or any Co-Applicant current on local, state, and federal taxes? Yes No
 If no, attach explanation.
4. Is the Applicant or any Co-Applicant involved in any claim or lawsuit?
 Yes No
 If yes, attach explanation.
5. Has the Applicant or any Co-Applicant ever been suspended or debarred, declared bankrupt, commenced a proceeding under any bankruptcy law or had a judgment rendered against it?
 Yes No
 If yes, attach explanation.
6. Has the Applicant or any Co-Applicant ever been convicted, charged with or arrested for any criminal offense other than a minor vehicle violation?
 Yes No
 If yes, attach explanation.



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

D. DEVELOPMENT EXPERIENCE

Provide a summary of up to five (5) previously completed/developed/co-developed projects, or developments currently in progress in which the Applicant/Co-Applicant was substantially involved. Projects may include those that the applicant(s) partnered with or had some type of development relationship. Include the status, outputs and outcomes as well as a discussion of any issues encountered (e.g. delays, budget overruns, etc.). See **Attachment 1** for a sample table format.

E. OTHER CONTACTS

Owner Representative:	
Contact Person:	
Title:	
Email:	
Phone (Office):	Phone (Cell):
Legal Counsel:	
Contact Person:	
Title:	
Email:	
Phone (Office):	Phone (Cell):
Environmental Consultant:	
Person:	
Title:	
Email:	
Phone (Office):	Phone (Cell):
Other (e.g. Real Estate Broker) – Indicate Role:	
Contact Person:	
Title:	
Contact Email:	
Contact Phone (Office):	Contact Phone (Cell):



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

IV. LEGAL STRUCTURE OF APPLICANT

A. LEGAL STRUCTURE OF APPLICANT

- | | |
|---|---|
| <input type="checkbox"/> Individual/Sole Proprietorship
<input type="checkbox"/> Fiduciary
<input type="checkbox"/> S-Corp
<input type="checkbox"/> C-Corp
<input type="checkbox"/> Partnership
<input type="checkbox"/> Corporation
<input type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Not-for-Profit: IRS Designation: _____
<input type="checkbox"/> Public Entity (indicate type): _____
<input type="checkbox"/> Tribal Entity
<input type="checkbox"/> Other: _____ |
|---|---|

1. Is the Applicant Entity registered in Louisiana? Yes No
 If not Louisiana, what State is Applicant Entity Registered? _____
2. Applicant Entity business start date: _____
3. Number of Employees: _____
4. Is Applicant a Developer? Yes No

B. OWNERS AND KEY MANAGERS OF THE ENTITY

Proprietor, Partners, Officers, Directors, and all Shareholders of outstanding work. 100% of ownership must be shown. Use the table below or attach a summary.

Name	Title/Position	Percent Ownership	Years with Company
		%	
		%	
		%	
		%	

Attach resumes for those listed including development experience of the team or individual members and project summaries for previous development projects.



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

V. SITE INFORMATION

A. SITE INFORMATION

If the Project Site contains multiple parcels, the information below is needed for each parcel.

1. Site Name: _____
2. LDEQ Agency Interest (AI) Number(s) (if assigned): _____

All known names to which the Site is commonly referred to or that are included in LDEQ records:

3. Size of the Site in acres: _____
4. Street Address(es): _____
 City/Town: _____ Parish: _____ ZIP: _____
5. Tax Parcel Identification #:

Attach Assessor's Map with the Site boundaries clearly outlined.

6. Is the Site subject to any tax delinquencies, liens, fines, mortgages, or other financial encumbrances?

Yes No

If yes, please complete the table below:

Type of Financial Encumbrance (tax delinquencies, liens, fines, mortgages, etc.)	Entity to Whom Funding is Owed	Amount	Is there a plan to address the financial encumbrance? If yes, please describe.
		\$	
		\$	

B. LAND USE AND ZONING

1. Current land use (check all that apply):
 Residential Commercial Industrial Vacant Lot Other:
2. Current Zoning: _____
3. Site History/ Previous Uses:

4. Describe existing Site conditions including current Site uses:
-



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

5. Complete the table below for any existing structures onsite:

Building Name w/Street Address	Age of Building	Size of Building	Current Use	Previous Use

Attach Site plan/map and photographs showing locations of existing structures.

6. Proposed Land Use:

- 7. Will the Proposed Land Use require a Zoning change?** Yes No
 If yes, has the proposed zoning change been applied for? Yes No
 If yes, has the proposed zoning change been approved? Yes No

8. Other applicable zoning districts/ special designation districts:

- | | |
|---|--|
| <input type="checkbox"/> Opportunity Zone | <input type="checkbox"/> Federal Historic District/ Landmark |
| <input type="checkbox"/> Local Historic District/ Landmark | <input type="checkbox"/> Louisiana Cultural District |
| <input type="checkbox"/> Special Taxing District (e.g. Downtown Development District) | <input type="checkbox"/> Mixed-Used Development District |
| | <input type="checkbox"/> Other: _____ |

- 9. Is the Site subject to any easements/ land use restrictions?** Yes No
 If yes, attach explanation.

VI. SITE OWNERSHIP

A. SITE ACQUISITION

- 1. Current Owner:** _____
- 2. Is the Site owned by Applicant?** Yes No
- 3. Date the Site was acquired by current owner:** _____
- 4. Site acquired by:**
 Purchase Donation Inheritance
 Tax Foreclosure Eminent Domain Other: _____
- 5. Site acquired from:** _____
- 6. Applicant's relationship to current owner or, if the Applicant owns the site, to the previous owner (if none, state NA):**

- 7. Did the Current Owner conduct All Appropriate Inquiries (AAI; e.g. complete a Phase I environmental site assessment according to ASTM E1527-13) within the 6 months prior to taking ownership of the Site?**
- Yes No AAI completed within one year of taking ownership (requires certain sections to be updated within 6 months of taking ownership)



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

B. COMPLETE THIS SECTION IF APPLICANT OWNS THE SITE

1. Nature of Ownership:

Mortgage Contract for Deed Fee Simple Other: _____

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

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

4. Prior to the time the Applicant took title to the property, or any time thereafter, did the Applicant conduct any due diligence activities (e.g. file reviews, interviews, on-site investigation) into the potential presence of pollutants or hazardous substances at or near the property? Yes No

If yes, describe those activities and attach Phase I and II Environmental Site Assessments or other appropriate due diligence documentation.

C. COMPLETE THIS SECTION IF APPLICANT DOES NOT OWN THE SITE

1. Current Site Owner Information:

Entity/ Name:			
Street Address:			
City/Town:	Parish:	State:	ZIP:
Owner Contact Person:			
Name:			
Relationship:			
Phone:		Email:	

2. If the Applicant is not the owner, does the Applicant have a purchase/lease agreement for the project Site? Yes – Attach copy No

3. Attach a summary of relevant terms/timelines of the purchase/lease agreement that would affect the cleanup and redevelopment of the Site.

4. If the Applicant is not the owner, does the Applicant have a signed access agreement from the owner giving access to the Site and the authority to conduct cleanup activities?

Yes– Attach copy No – Contact LDEQ BCRLF Coordinator



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

5. Did the owner cause the discharge of a hazardous substance on the Site?

- Yes – *Attach explanation* No

VII. SITE ENVIRONMENTAL CONDITIONS

A. SITE CONTAMINATION

1. Is the Site contaminated with:

- Hazardous Substances Yes No
 Petroleum Contamination Yes No

Co-mingled hazardous substances and petroleum contamination Yes No

2. Describe the types of contaminants (including concentrations) and the extent of contamination at the Site which is impeding redevelopment:

3. Respond to the following questions by marking the appropriate box on the right:

	Yes	No	Unknown
Does the Site pose an imminent threat to human health or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the Endangered Species Act (ESA) applicable to the Site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the National Historic Preservation Act (NHPA) applicable to the Site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the Site have any open pending Federal or State Enforcement Activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the Site subject to RCRA Corrective Action for hazardous substances contamination or petroleum contamination?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the contamination on the Site resulted in any lawsuits (e.g. liability, nuisance, insurance recovery)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If YES or UNKNOWN is marked, attach explanation.

B. RESPONSIBLE PARTY INFORMATION

1. Is the party that caused the contamination known? Yes – *Provide information below* No

Name / Entity:	
Contact Person:	
Phone Number:	Email:

2. Has the Responsible Party(s) been contacted regarding the cleanup? Yes No



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

C. ENVIRONMENTAL REPORTS

1. Complete the table below with information on all environmental reports for the Site. Add/ delete rows as needed. Attach copies of all environmental reports indicated or provide a link to the report if it is already in LDEQ's EDMS.

Report Type	Name of Document	Date Completed	Attached or in EDMS?
Required unless waived by LDEQ:			
Phase I Environmental Site Assessment			
Phase II Environmental Site Assessment/ RECAP Investigation			
Cleanup Plan			
Analysis of Brownfield Cleanup Alternatives			
Community Relations Plan			
EPA Quality Assurance Project Plan			
Attach if Applicable:			
Hazardous Materials Survey			
Asbestos Materials Survey			
Lead-based Paint Survey			
Other Environmental Report:			

D. PROPOSED CLEANUP

1. Briefly describe the proposed cleanup activities:

2. Estimated start date for cleanup activities: _____
3. Estimated completion date for cleanup activities: _____



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

VIII. CLEANUP AND REDEVELOPMENT FINANCING

1. Complete the table below.

Estimated Cleanup Costs:	\$
Amount Requested from the BCRLF:	\$
Difference:	\$
Estimated Redevelopment Costs (attach breakdown of costs):	\$

2. Identify the sources and amounts of funds (Federal, State, private or non-profit) the Applicant or other entity has committed or will commit to ensure successful completion of the project, including the cost of cleanup and redevelopment. Attach commitment letters, resolutions, or other documentation.

Activity Funded	Source of Funding	Amount (note if estimated)	Type of Funding	Name of Contact Person, Phone and Email	Committed, Applied for, or Proposed?
		\$			
		\$			

Sites with funding committed to the redevelopment are preferred; however, LDEQ recognizes that final acquisition and reuse financing may be subject to the completion of the cleanup.

3. Has the Site received Brownfields assistance in the past? This includes environmental assessment or cleanup planning work performed by a local Brownfield Program or through LDEQ's or EPA's Targeted Brownfield Assessment Program, as well as community outreach and/or redevelopment planning assistance through a local Brownfield Program or a Brownfields Technical Assistance Program (e.g. KSU TAB).

- Yes No

If yes, complete the table below. Examples of "Type of Assistance" include: Phase I ESA, environmental investigation, cleanup planning, redevelopment planning, community outreach assistance, or any other activities funded through a local, state or federal Brownfields Program.

Awarding Agency	Type of Assistance	Date of Award (may be approximate)	Amount of Award/ Approx. Value of Services Rendered



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

IX. REDEVELOPMENT PLAN

The BCRLF is an investment of taxpayer dollars to support Brownfield projects that support economic development and community revitalization goals. Priority will be given to projects that maximize the amount of leveraged funding and the number of jobs created, and that will clearly benefit the surrounding community. Reuses must align with local regulations as well as the community’s vision for their neighborhood. Applicants are encouraged to reach out the surrounding community prior to submitting an application to address any concerns/ feedback they might have about the proposed project.

In this section, provide information to clearly convey the reuse plan for the Site and commitments in place/ activities completed to date that indicate the likelihood of successful redevelopment and reuse.

A. REDEVELOPMENT OVERVIEW

1. Planned Redevelopment includes (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Market Rate | <input type="checkbox"/> Retail |
| <input type="checkbox"/> Affordable Housing | <input type="checkbox"/> Wholesale Service |
| <input type="checkbox"/> Workforce Housing | <input type="checkbox"/> Transportation Related (Port, Transit Center, etc.) |
| <input type="checkbox"/> Luxury | <input type="checkbox"/> Public Purpose (e.g. Community Center, Library, Health Clinic, etc.) |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Greenspace |
| <input type="checkbox"/> Mixed Use | <input type="checkbox"/> Other |
| <input type="checkbox"/> Manufacturing | |

2. Briefly describe the proposed redevelopment. Attach Redevelopment Plans and related documents (drawings, prospectus, business plan, etc.) with details of the planned reuse of the site.

B. COMMUNITY INVOLVEMENT

1. Identify and describe the target community that will benefit from the project (include demographics on sensitive [e.g., low-income, at-risk, etc.] populations, as applicable).

2. Briefly describe the proposed project’s Community Involvement /Public Participation Plan.

Describe the opportunities already given to local residents, businesses and the community in general, to comment on the proposed redevelopment project. Summarize all comments received, including the Applicant’s response(s) to any negative comments. Discuss future plans to involve the affected community. **Attach Community Relations Plan.**



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

C. COMMUNITY BENEFITS

1. What are the benefits of the project to the surrounding community?

2. Will the proposed project result in the dislocation of any businesses, households or people currently occupying the site? Yes No Unknown

If Yes or Unknown, attach an explanation and information on any mitigation measures in place or planned.

3. Will the proposed development:

	Yes	No	Unknown
Include sustainable design features?			
Include green infrastructure?			
Promote walkable communities?			
Include sustainable/ green demolition/ construction/ development?			
Create or preserve greenspace?			
Promote access to parks/greenways?			
Promote access to transit/bike paths?			
Renovate a historic structure?			

If YES, please explain:

If incorporating sustainable design features and/ or green infrastructure, is an operations/ training manual available to ensure continued use and proper maintenance of sustainable design features/ green infrastructure? Yes No Unknown

4. Describe the extent to which proposed redevelopment plans call for air and water pollution prevention and reduced resource consumption. Examples include (but are not limited to): infrastructure reuse, pollution prevention activities, stormwater management/reuse, native landscaping, construction debris/fill reuse.



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

D. ECONOMIC IMPACTS

5. How will the proposed redevelopment promote economic development?

6. What are the projected socio-economic benefits of the proposed redevelopment?

7. Provide Information on the projected economic benefits of the project:

Complete the table to the best of your ability.

- For Total Projected Redevelopment Costs, provide an estimate of the cost to fully redevelop the property for its intended reuse.
- For jobs created/ retained, provide your best estimation. You environmental consultant/ contractor may be able to provide assistance with estimated number of people needed to complete the cleanup/ construction. For the permanent jobs, think about the proposed reuse and what personnel will be hired as a result of the redevelopment (e.g. a coffee shop might need 3 managers, 12 baristas, and 2 janitorial staff; a school might hirer 30 teachers, 5 administrative staff, 15 support staff; an affordable housing development might have 2 managers, a building maintenance person, and a landscape maintenance person).
- Your local tax assessor may be able to help with estimated project property taxes.
- Include any other positive economic impacts such as higher wage jobs for the surrounding community, accessibility to lower cost fresh foods, or increased property values for surrounding properties.

Total Projected Redevelopment Costs:	\$
Estimated temporary jobs created for the Cleanup:	
Estimated temporary jobs retained for the Cleanup:	
Estimated temporary jobs created for the Redevelopment:	
Estimated temporary jobs retained for the Redevelopment:	
Estimated permanent jobs created:	
Estimated permanent jobs retained:	
Total estimated new taxes generated:	
Property Taxes	
Income Taxes	
Operational/ Business Taxes	
Other Taxes (Describe):	
Other Economic Benefits (Describe):	

E. PERMITTING AND PLANNING

8. Does the proposed redevelopment comply with applicable local plans and ordinances?

- Yes
 No – *Attach explanation*
 Unknown– *Attach explanation*



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

9. Complete the table below with information on the status of local and State permits & permissions necessary to complete the project. If the permit/permission has not yet been applied for or issued, explain in comment section and indicate a timeline for the permit/permission to be issued if known. Example permits/permission are Building permits, historic district approvals, zoning change requests, levee permits, etc.

Permit Required	Permitting Agency	Not Yet Applied	Date Applied For	Date Received	Comments

10. Complete the table below to indicate the stage of project development.

Stage of Project Development	Not yet Started	Started/ In Progress	Completed
Conceptual Planning Stage			
Development Plan complete			
Ready for land acquisition			
Land acquired			
Construction documents prepared			
Bid documents completed for cleanup			
Bid documents completed for redevelopment			
Bids completed for cleanup, contractor selected, and contract executed			
Bids completed for redevelopment, contractor selected, and contract executed			



Project Name:
LDEQ AI Number:
Project City/ Parish:

X. AUTHORIZATION, CERTIFICATION AND CONSENT TO PUBLICATION

As a participant in the Louisiana Department of Environmental Quality's Brownfields Cleanup Revolving Loan Fund (LDEQ BCRLF) Program, the undersigned certifies that the information contained herein and statements provided in the attachments are accurate as of the stated date(s). The undersigned authorize LDEQ to make inquiries as necessary to verify the accuracy of the statements made to determine this application's credit worthiness. As such, the undersigned agree to the following conditions:

- A. The undersigned certifies that no Applicant (including any Co-Applicants), or any individual, partnership, company or corporation related to the Applicant/ Co-Applicants 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 the Applicant (including any Co-Applicants) has never been suspended, debarred, or otherwise declared ineligible for federal or state financial assistance programs.
- C. The undersigned certifies that the Applicant (including any Co-Applicants) is authorized to incur debt and enter into legally binding agreements.
- D. The undersigned certifies that the Applicant (including any Co-Applicants) has no pattern of uncorrected environmental non-compliance.
- E. The undersigned understands that the Applicant (including any Co-Applicants) is applying for a BCRLF loan/ subgrant 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 Louisiana Department of Environmental Quality for the Brownfields Cleanup Revolving Loan Fund Program, including compliance with the terms of all governmental regulations pertaining to the project, including the regulations contained in 40 CFR 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 and project participants.
- H. The undersigned understands that the information that is made available will be available to the public and other agencies in accordance with the Louisiana Public Records Act, 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, complete, and fairly presents the financial condition of the undersigned. By signing below, the undersigned agree that the business loan/subgrant will be for the purpose identified in the loan application and in accordance with EPA BCRLF requirements.



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

XI. SIGNATURE PAGE

**LDEQ BROWNFIELD CLEANUP REVOLVING LOAN FUND
 REQUEST FOR FUNDING APPLICATION**

Site Name: _____

APPLICANT

Applicant Signature:	Date:
Print name:	
Title:	
Organization:	

CO-APPLICANT

Applicant Signature:	Date:
Print name:	
Title:	
Organization:	

CO-APPLICANT

Applicant Signature:	Date:
Print name:	
Title:	
Organization:	



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

Attachment 1: III.E. Redevelopment Experience Table

* If project is not complete, provide an estimated timeline for completion.

Project 1:	
Specific Project Team Members involved in the Project (also note which Applicant if applying with Co-Applicants):	
Type of Project/ Project Description:	
Project Budget:	
Status of Project* (include any issues encountered and remedies):	
Project Outputs and Outcomes (acres redeveloped, number of historic buildings restored, acres of greenspace created, jobs retained/ created,	
Project 2:	
Specific Project Team Members involved in the Project (also note which Applicant if applying with Co-Applicants):	
Type of Project/ Project Description:	
Project Budget:	
Status of Project* (include any issues encountered and remedies):	
Project Outputs and Outcomes (acres redeveloped, number of historic buildings restored, acres of greenspace created, jobs retained/ created,	



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

Project 3:	
Specific Project Team Members involved in the Project (also note which Applicant if applying with Co-Applicants):	
Type of Project/ Project Description:	
Project Budget:	
Status of Project* (include any issues encountered and remedies):	
Project Outputs and Outcomes (acres redeveloped, number of historic buildings restored, acres of greenspace created, jobs retained/ created,	
Project 4:	
Specific Project Team Members involved in the Project (also note which Applicant if applying with Co-Applicants):	
Type of Project/ Project Description:	
Project Budget:	
Status of Project* (include any issues encountered and remedies):	
Project Outputs and Outcomes (acres redeveloped, number of historic buildings restored, acres of greenspace created, jobs retained/ created,	



Project Name:
 LDEQ AI Number:
 Project City/ Parish:

Project 5:

Specific Project Team Members involved in the Project (also note which Applicant if applying with Co-Applicants):	
Type of Project/ Project Description:	
Project Budget:	
Status of Project* (include any issues encountered and remedies):	
Project Outputs and Outcomes (acres redeveloped, number of historic buildings restored, acres of greenspace created, jobs retained/ created,	

Appendix D: Fiscal Review Process

The BCRLF Fiscal Review Process is being developed in coordination with the LDEQ Fiscal Team. This document will be updated once the process is finalized.

Appendix E: Additional Terms and Conditions

The following subaward policies are to be included in loan and subgrant agreements issued from the Louisiana Department of Environmental Quality's (LDEQ's) Brownfield Cleanup Revolving Loan Fund (BCRLF), which is funded by a grant from the U.S. Environmental Protection Agency (EPA).

The Borrower/ Subgrantee must meet cleanup and other program requirements of the cooperative agreement between EPA and LDEQ. The following special terms and conditions will be included in BCRLF loan agreements and subgrants:¹

- a. Borrowers/ subgrantees shall use funds only for eligible activities and in compliance with the requirements of CERCLA § 104(k) and applicable federal and state laws and regulations.
- b. Borrowers/ subgrantees shall ensure that the cleanup protects human health and the environment.
- c. Borrowers/ subgrantees shall document how funds are used.
- d. Borrowers/ subgrantees shall maintain records for a minimum of three (3) years following completion of the cleanup financed all or in part with RLF funds unless one of the conditions described at 2 CFR § 200.333 is present. Borrowers/ subgrantees shall obtain written approval from LDEQ prior to disposing of records. Borrowers/ subgrantees shall provide access to records relating to loans and subgrants supported with BCRLF funds to authorized representatives of the federal government and LDEQ.
- e. Borrowers/ subgrantees shall certify that they are not currently, nor have they been, subject to any penalties resulting from environmental non-compliance at the site subject to the loan or subgrant.
- f. Borrowers/ subgrantees shall certify that they are not potentially liable under CERCLA § 107 for the site or that, if they are, they qualify for a limitation or defense to liability under CERCLA. If asserting a limitation or defense to liability, the borrower/ subgrantee must state the basis for that assertion. When using cooperative agreement funds for petroleum-contaminated brownfield sites, borrowers/ subgrantees shall certify that they are not a viable responsible party or potentially liable for the petroleum contamination at the site.
- g. Borrowers/ subgrantees shall conduct cleanup activities as required by LDEQ.
- h. Subgrantees, other than borrowers, shall comply with all applicable EPA assistance regulations (2 CFR Parts 200 and 1500). All procurements conducted with subgrant funds, but not loans, must comply with Procurement Standards of 2 CFR §§ 200.317 through 200.326, as applicable.
- i. Borrowers must comply with the internal control requirements specified at 2 CFR § 200.303 and are subject to the 2 CFR Part 200, Subpart F, Audit Requirements. LDEQ will oversee and manage loans as required by 2 CFR §§ 200.330 through 200.332. No other provisions of the Uniform Grant Guidance apply directly to borrowers.
- j. Borrowers/ subgrantees shall comply with all applicable federal and state laws and requirements. In addition to CERCLA §104(k), federal applicable laws and requirements include 2 CFR Parts 200 and 1500.

¹ In accordance with J.B.2 of the EPA Cooperative Agreement Programmatic Conditions