



## City of Atlanta-Invest Atlanta Brownfield Revolving Loan Fund

The City of Atlanta - Invest Atlanta Brownfield Revolving Loan Fund (BRLF) Program provides financing for eligible brownfields clean-up projects within the Atlanta city limits. BRLF loans are available to qualified, suitable market-ready sites to appropriate developers and buyers. The loans provided by the BRLF fund the remediation required for site cleanup.

A brownfield site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

The goals of the City's Brownfield Program are to improve the quality of life, revitalize neighborhoods and increase the City's tax base by:

- Encouraging sustainable redevelopment of brownfield sites;
- Protecting human health and the environment;
- Supporting the retention and attraction of jobs;
- Maximizing the effectiveness of the Brownfield Program through collaborative efforts; and
- Educating and engaging with the community about the Brownfield Program.

The Goals of the Brownfield Revolving Loan Program are listed below.

- Alleviate the conditions of severe poverty existing in the City of Atlanta.
- Protect the region's drinking water supply by minimizing contamination of the highly porous surficial sole source aquifer that lies beneath the City.
- Establish an expedited, equitable, coordinated, and easy-to-use process available to developers who may be interested in a particular potential brownfields site.
- Influence market conditions to attract private development to brownfields sites in areas selected for public policy reasons.
- Enhance and reinforce ecosystem environmental restoration, public health, economic development, and transit-related efforts.
- Further local strategies to promote sustainable communities, reduce greenhouse gas

emissions, and foster leadership in sustainable development worldwide.

**Instructions:**

The Applicant shall complete this entire form and provide all requested documentation and information and sign where indicated. Information contained on this form will be utilized by Invest Atlanta and The City of Atlanta and in consultation with the United States Environmental Protection Agency (USEPA) to make an initial determination as to whether the Project meets threshold Eligibility qualifications of The City of Atlanta-Invest Atlanta Brownfields Revolving Loan Fund Program.

Please submit all application materials to:

Attn: Kent Spencer  
Invest Atlanta  
133 Peachtree Street, NE  
Atlanta, GA 30303  
Phone: 404-880-4100  
Email: [kspencer@investatlanta.com](mailto:kspencer@investatlanta.com)  
Website: [www.investatlanta.com](http://www.investatlanta.com)

Please send a copy to:

Jessica Lavandier  
City of Atlanta  
Department of Planning and Community Development  
Office of Planning  
55 Trinity Avenue, Suite 3350  
Atlanta, GA 30303  
Email: [Jlavandier@atlantaga.gov](mailto:Jlavandier@atlantaga.gov)

For additional information about the Brownfields Revolving Loan Fund and to review the BRLF Guidelines and Procedures Manual, visit the brownfields  
Website: [www.atlantaga.gov/brownfields](http://www.atlantaga.gov/brownfields)



**Application Form:**

Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Legal Name of Applicant, if different: \_\_\_\_\_

Previous Names of Applicant, if any: \_\_\_\_\_

Key Contact Person and Title: \_\_\_\_\_

Business Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Applicant Tax ID/EIN: \_\_\_\_\_

Legal Form of Applicant (check Applicable box):

- Individual/Sole Proprietorship
- For-Profit Corporation (Indicate State \_\_\_\_\_ and Date \_\_\_\_\_ of Incorporation)
- Not-For-Profit Corporation (Indicate State \_\_\_\_\_ and Date \_\_\_\_\_ of Incorporation)
- Partnership (Indicate State \_\_\_\_\_ and Date \_\_\_\_\_ of Formation)
- Limited Partnership (Indicate State \_\_\_\_\_ and Date \_\_\_\_\_ of Formation)
- Limited Liability Company (Indicate State \_\_\_\_\_ and Date \_\_\_\_\_ of Organization)
- Political Subdivision or Quasi-Governmental Agency

Describe in detail: \_\_\_\_\_

- Other

Describe: \_\_\_\_\_



**Applicant Eligibility:**

Note: quasi-governmental agencies and non-profit entities that own the project site are eligible for sub-grants. Sub-grants may not exceed \$200,000. Questions specific to sub-grants, listed below, need to be answered.

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

Name of Owner	Address	% Ownership

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

Name	Address	Title

Provide information describing your environmental compliance history and attach any relevant documents.

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**Identify the Property for which the funds are requested:**

Address: \_\_\_\_\_

Parcel I.D. # (if applicable): \_\_\_\_\_

Approximate Acreage: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Are you the current owner of the property:      Yes                      No

If you are the current owner, list the date you acquired title to the Property: \_\_\_\_\_

If you are not the current owner, list the date you expect to acquire title to the Property:

\_\_\_\_\_

Method property was acquired (lease, purchase, donation, imminent domain, tax sale, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Environmental Site Assessment:**

Phase I Environmental Site Assessment completed?      No                      Yes, Completion Date: \_\_\_\_\_

Phase II Environmental Site Assessment completed?      No                      Yes, Completion Date: \_\_\_\_\_

Does this site meet the definition of a Brownfield Site?

Yes                      No                      Don't Know



**Description of Environmental Problems:**

General Description of Nature, Scope, and Extent of Contamination:

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

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Is the Property contaminated by a controlled substance, petroleum or petroleum product, or is the property mine scarred land?

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

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

For petroleum sites:

Is there a viable responsible party for the site?  
Yes                      No                      Don't Know

Is this site a relatively "low risk" compared with other petroleum sites in the State?



Yes                      No                      Don't Know

Will the site be assessed, investigated or cleaned up by a person/entity that is potentially liable for cleaning up the site?

Yes                      No                      Don't Know

Is the site is not subject to any order under § 9003(h) of the Solid Waste Disposal Act (SWDA)?

Yes                      No                      Don't Know

Has the loan applicant dispensed or disposed of petroleum or petroleum-product at the site?

Yes                      No                      Don't Know

Has the loan applicant exacerbated the contamination at the site?

Yes                      No                      Don't Know

Has the loan applicant taken reasonable steps with regard to the contamination at the site?

Yes                      No                      Don't Know

For all sites:

Is the applicant a Potentially Responsible Party (PRP) under CERCLA § 107?

Yes                      No                      Don't Know

Has the applicant currently or in the past subject to any penalties resulting from environmental non-compliance at the site subject to the loan?

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know



**Proposed Improvements and Project Description:**

General Description of Improvements:

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

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Number of jobs expected to be created as a result of the proposed project: \_\_\_\_\_

If the proposed project includes housing, indicate the % affordable units: \_\_\_\_\_

Describe community involvement efforts for this proposed project to date:

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How will this project, if selected, would be consistent with BRLF program goals listed above?

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How will this project, if selected, protect human health and the environment?

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**Amount Requested:**

State the principal amount requested and whether the request is for a loan and/or sub-grant

Estimated remediation cost: \_\_\_\_\_

Estimated redevelopment cost: \_\_\_\_\_

Loan amount requested: \_\_\_\_\_

Sub-grant amount requested: \_\_\_\_\_

Amount of match: \_\_\_\_\_

Percent of total: \_\_\_\_\_

**Project Schedule:**

Estimated start date of clean-up activities: \_\_\_\_\_

Estimated start date of redevelopment activities: \_\_\_\_\_

Estimated completion date of clean-up activities: \_\_\_\_\_

Estimated completion date of redevelopment activities: \_\_\_\_\_

Current Zoning of Project Site: \_\_\_\_\_

Is a change in zoning required for Proposed Project?                      Yes                      No

If a change in zoning is required, explain how and when the zoning will be obtained:

\_\_\_\_\_  
\_\_\_\_\_

**Conditional CERCLA Liability Protection:**

Grant recipients, borrowers, or subrecipients who are eligible, or seek to become eligible, to receive a grant, loan, or subaward based on a liability protection from CERCLA as a: (1) bona fide prospective purchaser (BFPP), (2) contiguous property owner (CPO), or (3) innocent landowner (ILO) (known as the "landowner liability protections"), must meet certain threshold criteria and satisfy certain continuing obligations to maintain their status as an eligible grant recipient, borrower, or subrecipients. To the best of your knowledge, information and/or belief,



answer the following by checking the appropriate box:

Has the applicant as a borrower or subrecipient asserting a BFPP, CPO or ILO limitation on liability performed "all appropriate inquiry," as found in section 101(35)(B) of CERCLA, on or before the date of acquisition of the property.

Yes                      No                      Don't Know

Is the borrower or subrecipient seeking to qualify as bona fide prospective purchasers or contiguous property owners potentially liable, or affiliated with any other person that is potentially liable for response costs at the facility through; any direct or indirect familial relationship; or any contractual, corporate, or financial relationships; or a reorganized business entity that was potentially liable or otherwise liable under CERCLA § 107(a) as a prior owner or operator, or generator or transporter of hazardous substances to the facility?

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

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

Yes                      No                      Don't Know

Subgrants applicants need to answer the following questions:

To what extent will the subrecipient facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property, or other property used for



nonprofit purposes?

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To what extent will the subrecipient 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?

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To what extent will the subaward facilitate the use or reuse of existing infrastructure?

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How will the subaward benefit the long-term availability of funds from a revolving loan fund for brownfield remediation?

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**Attach records to support and document these determinations.**

**Certification:**

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

Applicant: \_\_\_\_\_

By (Signature): \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachments:**

- Check box for each attached document, as applicable:

Attach to this fully completed form true and accurate copies of:

- Articles of Organization (if an LLC),
- Articles of Incorporation (if a corporation),
- Certificate of Limited Partnership (if a limited partnership),
- Tax Exempt Status Letter
- Other document(s):  
\_\_\_\_\_



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- Submit information regarding overall environmental compliance history including any penalties resulting from environmental non-compliance at the site subject to the loan or subaward.
  - Provide a true and accurate copy of the conveyance deed by which you acquired title to the Property, if you currently own the Property
  - Provide a true and accurate copy of all documents granting you control or access to the property.
  - Attach a legal description and site plan
  - Provide along with this application true and accurate copies of any and all ASTM Phase I and Phase II environmental site assessments, reports, studies, surveys and/or inspections relating to the Property. List attached documents:

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

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