

**Berkshire Brownfields Cleanup Revolving Loan Fund
Site Eligibility Check List**

Please contact Melissa Provencher at the Berkshire Regional Planning Commission (BRPC) at any time during the application process for guidance or information, at (413) 442-1521, ext. 22. Send your completed Site Eligibility Check List to: Berkshire Regional Planning Commission, 1 Fenn Street – Suite 201, Pittsfield, MA 01201, Attn: Melissa Provencher or email to mprovencher@berkshireplanning.org.

Project Name: _____

Site Information

Site Name: _____

Site Address: _____

Assessor's Map and Parcel Number: _____

Size of Site (acres): _____

Ownership/Management

Current Site Owner: _____

Year Site Purchased: _____

Previous Site Owner: _____

Applicant Information

Applicant Name: _____

Contact Information: Phone: (____)_____ Email: _____

If the applicant currently owns the site:

Describe how you took ownership of the site (e.g., tax foreclosure, purchase, donation, eminent domain) and date of acquisition: _____

If the applicant does not currently own the site:

Describe your relationship with the owner: _____

Date of planned acquisition (if applicable): _____

Method of planned acquisition (if applicable): _____

Describe the owner's role in the work to be performed (if applicable): _____

Indicate how you will gain access to the Site (if applicable): _____

Owner Eligibility for Loans and Subgrants

All borrowers and subgrantees must have performed “all appropriate inquiry” on or before acquiring the property and are not liable for cleanup costs. All borrowers and subgrantees must assert one of the following:

- Bona fide prospective purchaser (BFPP);
- Contiguous property owner (CPO); or
- Innocent landowner (ILO)

Site Eligibility

Please check all that apply. RLF loan funds must only be used at sites that are either:

- Contaminated by a hazardous substance or pollutant;
- Contaminated by petroleum or a petroleum product;
- Contaminated by controlled substances; or
- Mine-scarred land.

The following sites are NOT eligible for RLF funds.

- Listed, or proposed for listing, on the National Priorities List;
- Subject to a unilateral administrative order, a court order, an administrative order on consent or judicial consent decree issued or entered into by parties under CERCLA; or
- Subject to the jurisdiction, custody, or control of the U.S. government, except for land held in trust by the U.S. for an Indian tribe.

Project Eligibility

Please check all that apply. RLF funds must be spent on cleanup activities only:

- Actions associated with removing, mitigating, or preventing the release or threat of a release of a hazardous substance, pollutant, contaminant, petroleum product, or controlled substance;
- Site monitoring activities, including sampling and analysis, that are reasonable, necessary, and incidental during the cleanup process, including determination of the effectiveness of a cleanup;
- Site assessment activities that are reasonable, necessary, and incidental to the cleanup process; and/or
- Costs associated with meeting public participation, worker health and safety, and interagency coordination requirements.

If your site is not eligible, you may be able to apply for a property-specific determination from EPA. Please contact Melissa Provencher by email at mprovencher@berkshireplanning.org or by phone at (413) 442-1521 ext. 22 for more information.