



Department of  
Development

## CLEAN OHIO ASSISTANCE FUND

### GRANT APPLICATION FOR BROWNFIELD CLEANUP

#### **Purpose of Grant:**

Provide funds to physically change former commercial and industrial property through demolition and environmental cleanup activities catalyzing new economic development and investment in eligible, priority investment areas of Ohio (<http://clean.ohio.gov/BrownfieldRevitalization/BrownfieldRevitalizationMaps.htm>).

The economic benefits of the cleanup activities must be quantifiable. The environmental cleanup activities will be completed in accordance with Ohio Environmental Protection Agency (EPA) regulations for the project's applicable regulatory program. The applicant will ensure that cleanup activities completed at the site result in a property which is safe for its intended end use.

This funding is administered by the Ohio Department of Development (ODOD) in coordination with the Ohio Environmental Protection Agency (Ohio EPA). The Clean Ohio Assistance Fund's purpose is to serve as a catalyst for economic redevelopment in Ohio by helping to address a common impediment – environmental contamination.

A majority of brownfield projects are eligible to be cleaned up under Ohio EPA's Voluntary Action Program (VAP). The VAP process and rules can be found in Ohio Revised Code 3746 and OAC 3745-300-01 to 3745-300-14 (see also <http://www.epa.ohio.gov/derr/vap/rules/rules.aspx>). The applicant will work with a certified professional to ensure that an adequate VAP Phase I Assessment and VAP compliant Phase II Site Assessment has been completed for the property. These assessments will support a Remedial Action Plan and Cost Estimate that will be included in the application to describe all demolition and cleanup activities at the brownfield property. Upon completion of cleanup activities and after a determination that applicable VAP cleanup standards have been met, the certified professional can issue a No Further Action (NFA) Letter. After review by

the Ohio EPA, a covenant not to sue (CNS) or director's determination letter can be issued.

Please contact ODOD to discuss cleanup activities for properties governed by regulatory programs under solid or hazardous waste (O.R.C. 3734). At which time ODOD will coordinate discussions with the applicant and Ohio EPA.

The grant application may request up to \$750,000 for demolition and cleanup at the project property. Preference will be given to projects with the following characteristics:

- Projects with soft costs (CP and engineering costs) which total less than 15% of the total project costs.
- Projects that can be completed within eighteen months of signing the grant agreement.
- Projects with end uses which result in new or retained jobs at the property within twelve months of project completion.
- Projects with match dollars contributing toward demolition and remediation.

Projects that do not adequately assess the extent of the contamination at the property to support the chosen remedy are not ready for funding and will not be considered until the appropriate level of assessment activities have been completed.

If asbestos abatement is proposed, an Asbestos Inspection Report must be included with the application. The Asbestos Inspection Report must contain the following components: 1) identification of asbestos material, including locations and quantity; 2) square footage or linear feet of asbestos material greater than 1%; 4) description of the current condition of the asbestos; 5) explanation of any planned demolition. The Clean Ohio Assistance fund will not provide grant funds for lead paint abatement or mold removal.

The Clean Ohio Assistance Fund is administered in accordance with O.R.C. 122.65-122.659, and the Clean Ohio Assistance Fund Policies which can be found at <http://www.clean.ohio.gov/BrownfieldRevitalization/>.

All Clean Ohio Assistance Fund cleanup projects require that VAP fees be paid by the applicant when the NFA Letter is submitted for Ohio EPA review. These fees will generally range from \$2,800 to \$17,000 and must be included in the cost estimate for the project. Applicants are encouraged to enter the VAP PAYGO process whereby VAP documents are reviewed under VAP Technical Assistance, paid for by the Volunteer, prior to issuance of the NFA Letter. The VAP fees or PAYGO costs are eligible for reimbursement from the COAF grant. (For the current VAP Fees and information on the PAYGO process, see: <http://www.epa.ohio.gov/derr/volunt/volunt.aspx>)

**This application contains two sections:**

- ▶ Section A – Project Information, Required Forms, and Environmental Documents
- ▶ Section B – Redevelopment Plans & Economic Benefit

**Applicant Deliverables to ODOD:**

- One (1) original application and two (2) electronic copies.
  - No Later than three (3) days following submission of the application to the public library, the applicant must send (2) disk copies of the application to the Ohio Department of Development, Urban Development Division, 77 South High St., 26<sup>th</sup> floor, Columbus, Ohio, 43215.
  - Following the 45 day public comment period and the public meeting, the applicant must send one (1) original copy of the application to the Ohio Department of Development, Urban Development Division, 77 South High St., 26<sup>th</sup> floor, Columbus, Ohio, 43215.
- Upon receipt of the application, the Ohio Department of Development with assistance from the Ohio Environmental Protection agency shall have 10 business days to review the application for completeness. Following the review period, the Ohio Department of Development will provide the applicant an opportunity to submit missing information.
- All pages in the application should be numbered and the application should be placed in a three ring binder. Tabs should be used to delineate individual attachments

**If Funded, Grant Deliverables to ODOD:**

- One (1) copy (electronic) of all NFA documentation which was submitted to OhioEPA showing that the property has been remediated in accordance with VAP Standards.
- Periodic Progress Reports.

**CLEAN OHIO ASSISTANCE FUND  
CLEANUP APPLICATION  
Section A**  
Project Information & Required Forms

**June 2011**

### **Applicant Authorization and Certification**

I understand that by signing this application, I grant the Ohio Department of Development or its authorized agents access to any records needed for verification and evaluation of the information provided in this application. I understand that filling out this application does not guarantee that I will receive assistance.

I certify that the information I have provided in this application is, to the best of my knowledge, a true, accurate and complete disclosure of the requested information. I understand that I may be held civilly and criminally liable under Federal and State law for knowingly making false or fraudulent statements.

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Applicant

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Signature

Date

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Name (Print)

Title

## ***APPLICANT INFORMATION***

<b>Applicant Name</b>	
<b>CEO Name</b>	
<b>CEO Address</b>	
<b>CEO Phone Number</b>	
<b>CEO Email Address</b>	
<b>CEO Fax Number</b>	
<b>Project Contact (must be member of Applicant's staff)</b>	
<b>Project Contact Address</b>	
<b>Project Contact Phone Number</b>	
<b>Project Contact Email Address</b>	
<b>Project Contact Fax Number</b>	

<b>Development Partner</b>	
<b>Development Partner Project Contact</b>	
<b>Development Partner Address</b>	
<b>Development Partner Phone Number</b>	
<b>Development Partner Email</b>	
<b>Certified Professional Name</b>	
<b>Certified Professional Certification Number</b>	
<b>Certified Professional Address</b>	
<b>Certified Professional Phone</b>	
<b>Certified Professional Email</b>	

***PROJECT INFORMATION***

<b>Project Name</b>	
<b>Former Property Name</b>	
<b>Property Address City, State, Zip,</b>	
<b>Longitude/Latitude (center of property)</b>	
<b>County</b>	
<b>Acreage</b>	
<b>Census Tract(s)</b>	
<b>Parcel Numbers</b>	
<b>Surrounding Property Type &amp; Name</b>	
<b>Name of Current Property owner (at time of application)</b>	

<b>Name of Future Property Owner (if property will be transferred after the application is approved)</b>	
<b>Ohio House District</b>	
<b>Ohio Senate District</b>	
<b>US Congressional District</b>	

<b><i>PROJECT FUNDS</i></b>	
<b>Amount Requested</b>	
<b>Match</b>	
<b>Total Project Costs (Amount Requested + Match)</b>	

## ***REQUIRED INFORMATION***

<b>Attachment 1</b>	Application Summary
<b>Attachment 2</b>	Authorization Resolution or Ordinance approving project from the Applicant. Sample included as Attachment 2.
<b>Attachment 3</b>	Authorization Resolution or Ordinance from legislative authority of the community in which the property is located. Only required if Applicant is different than municipality. Sample included as Attachment 3.
<b>Attachment 4</b>	Copy of legal description, location map, property map, and plat maps. Property should be highlighted on all maps. All maps should be to scale.
<b>Attachment 5</b>	Copy of title or access agreement. If applicant plans to acquire property, include a signed purchase agreement and an affidavit from the applicant stating that the purchase price has been agreed upon.
<b>Attachment 6</b>	Affidavit by Certification Professional for Clean Ohio Assistance Fund Application.
<b>Attachment 7</b>	Remedial Action Plan A description of the proposed cleanup or remediation
<b>Attachment 8</b>	Project Assumptions and Cost Estimate
<b>Attachment 9</b>	Sources and Uses Fund Schedule. Provide an explanation of proposed financing, including the amount requested and any match provided by the applicant.

<b>Attachment 10</b>	Development Partners – Authorization and Certification Form (if applicable). Form included as Attachment 10.
<b>Attachment 11</b>	Partnership Agreement between the Applicant and Development Partner (if applicable).
<b>Attachment 12</b>	Clean Hands Affidavit (signed by Applicant and Development Partner). Form included as Attachment 12.
<b>Attachment 13</b>	Tax Information and Disclosure Form (signed by Development Partner ONLY). Form included as Attachment 13.
<b>Attachment 14</b>	Financial Liability Form (signed by Applicant and Development Partner). Form included as Attachment 14.
<b>Attachment 15</b>	Most recent financial audit available online
<b>Attachment 16</b>	Public Participation Documents. Copy of Library Receipt of Application, Proof and Copy of Newspaper publication of Notice, Photograph of Property Sign, date posted and website address. Also includes comments received during public notice period, minutes of the public hearing, responsiveness summary.
<b>Attachment 17</b>	List of Changes made to application as a result of the public participation procedures.
<b>Attachment 18</b>	VAP Phase I Report And/or Cleanup/Closure Plan (for ORC 3734 – Hazardous or Solid Waste Projects)
<b>Attachment 19</b>	Portions of VAP Compliant Phase II Report

## **Attachment 1 Application Summary Document**

Total length of the application summary must not exceed four pages, including graphics, be of size 8.5 X 11, and have a font size no smaller than 12. All statements made in the summary must be supported in the appropriate attachment(s) (i.e. number of jobs listed in the Application Summary must correspond with the jobs listed in each end user's Letter of Commitment Part B Attachment 20).

Provide a brief overview of the project including but not limited to the following items:

1. Goal of the brownfield project.
  - a. Economic Benefit:
    - i. Include information regarding the end user, number of jobs created and/or retained and wages, total project costs, estimated dollars to be leveraged, taxes generated as a result of the project (i.e. real estate, income taxes).
    - b. Community Benefit: Include a description of how the project fits into the adopted redevelopment plan for the area and/or adopted Development Plan for the community. Also describe how this project will benefit low-income residents and/or impoverished communities.
    - c. Other Funding Sources: Include a description of match dollars to be obtained and used for the project, and any other funding that will assist or has assisted in the success of the project.
2. History of the project property.
3. Environmental improvements and benefits.
  - a. Cleanup Benefits: Include a description of the cleanup activities proposed for the project as well as any associated environmental benefits (i.e. reduction to threats to human health and the environment)
  - b. Sustainability: Include a description of how the project incorporates sustainable activities during the cleanup and redevelopment activities, including, but not limited to:
    - i. Recycling of demolition materials and any non-structural items (i.e. architectural features, windows, doors).
    - ii. Minimizing any storm water run-off impacts from the site during and after remediation activities (i.e. drainage swales, landscaped planters, rain gardens, or green roofs on new construction).
    - iii. Utilizing green building techniques (i.e. LEED standards).
    - iv. Utilizing alternative and sustainable energy sources during and after remediation activities (i.e. solar and/or wind to operate a ground water pump-and-treat system or a sub-slab vapor extraction system, or to offset grid power to any new construction).
4. Project's readiness to proceed if funded.

**Attachment 2**  
**SAMPLE**  
AUTHORIZATION RESOLUTION OR ORDINANCE

A RESOLUTION AUTHORIZING THE \_\_\_\_\_ TO FILE AN APPLICATION TO THE STATE OF OHIO, TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND.

WHEREAS, the State of Ohio, Department of Development, provides financial assistance to local governments for the purpose of addressing local needs; and

WHEREAS, the \_\_\_\_\_ desires to participate in the Program to receive financial assistance for PROJECT NAME \_\_\_\_\_ under the Clean Ohio Assistance Fund and

WHEREAS, the \_\_\_\_\_ has the authority to apply for financial assistance and to administer the amounts received from the State of Ohio, Ohio Department of Development, Clean Ohio Assistance Fund  
WHEREAS, the \_\_\_\_\_ of the \_\_\_\_\_ must direct and authorize the (contact person) to act in connection with the application and to provide such additional information as may be required;

NOW, THEREFORE, BE IT RESOLVED by the \_\_\_\_\_ of the \_\_\_\_\_, Ohio, \_\_\_\_\_ of all members thereof concurring:

Section 1. That \_\_\_\_\_ authorizes \_\_\_\_\_  
As the official representative of \_\_\_\_\_

\_\_\_\_\_ application to participate in the State of Ohio, Department of Development, and provide all information and documentation required in said Application for State of Ohio, Clean Ohio Assistance Fund submission.

Section 2. That the \_\_\_\_\_ hereby approves filing an application for financial assistance under the Clean Ohio Assistance Fund.

Section 3. That the \_\_\_\_\_ hereby understands and agrees that participation in the Program will require compliance with program guidelines and assurances.

Section 4. That the \_\_\_\_\_ hereby commits itself to provide the match as described in the application.

PASSED: (DATE) \_\_\_\_\_

**Attachment 3**  
**Sample**  
SUPPORT RESOLUTION OR ORDINANCE

A (RESOLUTION OR ORDINANCE) IN SUPPORT OF AN APPLICATION TO  
THE STATE OF OHIO

WHEREAS, (NAME OF SUPPORTER) IS INTERESTED IN SUPPORTING THE (NAME OF APPLICANT) APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT FOR THE CLEAN OHIO ASSISTANCE FUND – (NAME OF PROJECT)

WHEREAS, The State of Ohio, through the Ohio Department of Development, provides financial assistance to local governments for the purpose of addressing local needs; and

WHEREAS, (NAME OF APPLICANT) is submitting a Clean Ohio Assistance Fund Program Application to complete eligible activities, including but not limited to the performance of remedial activities at the (NAME OF PROJECT) redevelopment project; and

WHEREAS, (PROJECT NAME) is an approximately (#) acre property located principally at (PROJECT ADDRESS) identified as Permanent Parcels Numbers (PARCEL ID NUMBERS) and located within the boundary of (NAME OF SUPPORTER JURISDICTION); and

WHEREAS, (NAME OF APPLICANT) intends to remediate the property, which formerly operated as the (FORMER NAME or OPERATION) for redevelopment into (PROPERTY END USE); and

WHEREAS, (NAME OF SUPPORTER) is committed to working with (NAME OF APPLICANT) to prepare and submit the Application for the Clean Ohio Assistance Fund to pursue the remediation and redevelopment of the property; and

NOW, THEREFORE BE IT HERBY RESOLVED that the (NAME OF SUPPORTER) approves and authorizes (NAME OF APPLICANT) to submit a Clean Ohio Assistance Fund application for work at the (PROJECT NAME).

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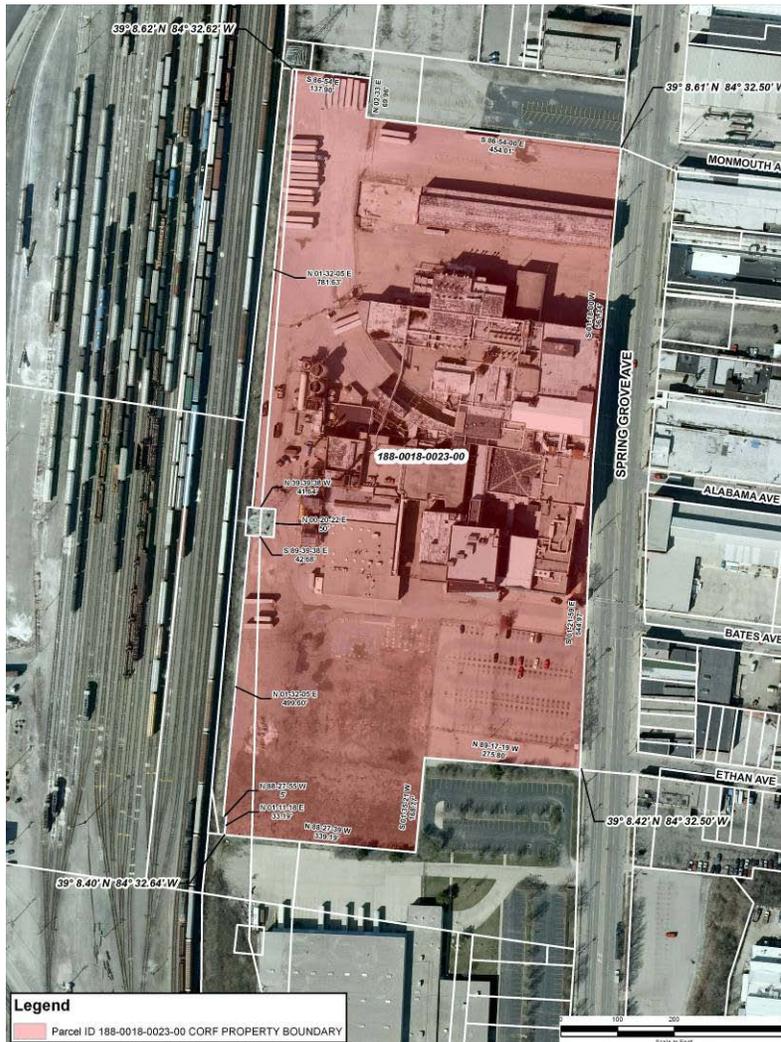
I hereby certify that the above is a true and accurate copy of a resolution adopted at the (DATE) regular meeting of the (NAME OF SUPPORTER BOARD OR COUNCIL).

CERTIFIED BY: \_\_\_\_\_  
NAME, TITLE AND DATE

## Attachment 4

The property boundaries are defined by the Applicant, and can be a portion of a parcel, a single parcel or multiple contiguous parcels. The property must have been a commercial, industrial or institutional property. To evaluate the application, the size of the property, ownership of the property and access to the property must be accurately documented. Provide the following:

- Legal description
  - Provide legal description(s) either from the property deed(s) or stamped and signed by a licensed surveyor
- Plat Map(s) or Survey Map
  - Color-code parcels per legal description (see example below)
  - Include survey points and distances
  - If available, overlay map on aerial photograph



## **Attachment 5**

- Title
- or Access Agreement
- or Purchase Agreement
- Copy of Deed

Applicants must provide the copies of the current title(s) for the entire project property. If the Applicant is not the current owner, an access agreement must be provided. Access agreements must be for a time period that covers the date the application enters the library through NFA approval. Agreements must be between the applicant and the property owner not the applicant's development partner or consultant.



Further affiant sayeth naught.

\_\_\_\_\_  
Signature of Affiant

Sworn to and subscribed in my presence this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

Printed or typed name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

## **Attachment 7 Remedial Action Plan**

This plan should describe all cleanup activities to be performed on the project property, including contaminated building materials and asbestos removal. The applicant must, at a minimum, provide the following information:

### **1.0 Project Property**

- 1.1 A brief description of activities/media to be addressed on the project property.
- 1.2 Are the property boundaries the same in the Phase I, Phase II, and the grant application? If not, provide a map identifying all discrepancies.
- 1.3 Identify the proposed end-use(s) on the project property.
- 1.4 Identify any areas of the property which are governed by another regulatory program (i.e. TSCA, RCRA, Solid Waste or BUSTR). Provide maps and figures identifying the locations. Describe how the programmatic requirements will be met. (Note some of these activities may not be eligible for Clean Ohio Fund reimbursement.)
- 1.5 If applicable, include a detailed description and location map of any institutional and/or engineering controls that will be used to address all completed pathways after remediation.
- 1.6 For confirmation sampling, a description of the procedures to be used to demonstrate that the property will achieve the selected cleanup goals/applicable standards.

### **2.0 Environmental Media – Soil (if applicable)**

- 2.1 A description of the proposed remedial activities and the rationale used in selecting the remedy.
- 2.2 A table showing a comparison of the contaminant levels in each identified area to the selected cleanup goals/applicable standards. The applicable standards must match the proposed end use(s) of the project property.
- 2.3 A figure showing location and extent of impacted soil above applicable standards.

### **3.0 Environmental Media – Ground Water (if applicable)**

- 3.1 A summary of the classification and contaminant levels that exist in the ground water zone(s) under the project property.
- 3.2 A table showing a comparison of the contaminant levels in the ground water zone(s) to the applicable response requirements.
- 3.3 If applicable, describe how an existing Urban Setting Designation affects the response requirements.

- 3.4 If applicable, a description of how off-site migration, either going on or off the project property, affects the response requirements.
- 3.5 A description of the proposed remedial activities and the rationale used in selecting the remedy, or a description of how ground water that currently meets UPUS will continue to be protected.
- 3.6 If applicable, a description of proposed ground water modeling. If ground water was previously modeled, include a summary of results with applicable tables.
- 3.7 A figure showing location and extent of impacted ground water above applicable standards

#### **4.0 Environmental Exposure Pathway – Indoor Air (if applicable)**

- 4.1 A summary of the VOC contaminant levels that exist in soil and/or ground water that may impact indoor air quality of existing or planned structures on the project property.
- 4.2 A table showing a comparison of the contaminant levels in the soil and/or ground water to the selected cleanup goals/applicable standards.
- 4.3 A description of the proposed remedial activities and the rationale used in selecting the remedy. Has indoor air modeling been completed or will it be included as part of the remedial activities? If completed, please summarize the results and include applicable tables.

#### **5.0 Environmental Media – Surface Water (if applicable)**

- 5.1 A description of the proposed remedial activities and the rationale used in selecting the remedy.
- 5.2 A table showing a comparison of the contaminant levels in the surface water to the selected cleanup goals/applicable standards.

#### **6.0 Environmental Media – Sediment (if applicable)**

- 6.1 A description of the proposed remedial activities and the rationale used in selecting the remedy.
- 6.2 A table showing a comparison of the contaminant levels in the sediment to the selected cleanup goals/applicable standards.
- 6.3 A figure showing location and extent of impacted sediment above actionable levels

#### **7.0 Asbestos (if applicable)**

- 7.1 A summary of the location, type, and condition of asbestos contained within on-site structures, in debris piles, or possibly in soil and/or ground water.

7.2 A description of the proposed remedial activities and/or management procedures and the rationale used in selecting them.

### **8.0 Contaminated Building Materials (if applicable)**

A summary of the location, type, and quantities of contaminated building materials that exist. Include a summary of the remediation and/or management procedures and the rationale used in selecting them.

### **9.0 General Waste Removal (if applicable)**

A description of how each of the general wastes will be recycled, disposed of, or otherwise managed, including any regulatory approvals that may be necessary. General wastes include, but are not limited to, paint cans, lead paint debris, PCB ballasts, mercury switches, scrap tires, wood block flooring, and infectious wastes.

### **10.0 Implementation Schedule**

A description of the overall project schedule detailing all tasks necessary to complete the project. Include any necessary acquisition steps, remediation activities, submittal of the NFA letter, and any O&M obligations that would extend beyond the 30-month grant period. Attach a Gantt chart showing this information.

## **Attachment 8 Project Assumptions and Cost Estimates**

This section includes all project assumptions and cost estimates that were developed for this grant application. The applicant must provide the following information:

### **1.0 Total Project Costs**

Provide an overall estimate of project costs for the property separated into the following four major categories: acquisition, demolition, cleanup/remediation, and infrastructure.

Total Project Costs - All dollars expended (or to be expended) at the property for eligible activities in section 3 of the policies and other costs identified as match as defined by O.R.C. section 122.658.

### **2.0 Major Tasks**

Provide a list of all major demolition and cleanup/remediation tasks associated with the project. If applicable, include a description of the demolition methods and to-scale maps showing which structures will be demolished.

### **3.0 Estimates for Soil, Ground Water and Other Environmental Media**

Provide all calculations and assumptions used to determine the estimated volume of contaminated soil, ground water or other environmental media that will be remediated in each of the property's Identified Areas. If applicable, include a to-scale map identifying all at grade and subgrade areas that will be actively remediated.

### **4.0 Backfill Estimates**

Show all calculations and assumptions used to determine the estimated volume of backfill material that will be placed at the property for the purposes of this project.

### **5.0 Demolition and Debris Disposal Estimates**

Show all calculations and assumptions used to determine the estimated demolition activities and procedures for disposal of the debris generated from the property for the purposes of this project. The calculations should include dimensions of site structures that will be demolished, including subgrade areas. Provide a description of the building materials (i.e., brick,

concrete, sheet metal, asbestos, etc.), and include the amount of material to be recycled and the amount to be removed from the site.

#### 6.0 General Waste Estimates

Show all calculations and assumptions used to determine the estimated volume of waste materials (i.e., hazardous materials, PCB ballasts and transformers, fluorescent bulbs, etc.) that will be removed from the project property.

#### 7.0 Detailed Costs

Provide detailed third party cost estimates that correspond to the established remedial activities including any contingencies. Costs must be itemized and unitized. Costs for individual activities must be separated (i.e., show the cost per well or soil borings, staff time and analytical costs). All subcontractor costs over \$25,000 must be supported by a cost estimate provided by a potential subcontractor. Any remedial cost estimates for VAP work must be signed by an Ohio Certified Professional and any remedial cost estimates for non-VAP work, including demolition and infrastructure, must be certified by an Ohio Professional Engineer.

### **Attachment 9 Sources and Uses**

A Microsoft Excel version of the Sources and Uses table is available on Urban Development Division's website:

<http://clean.ohio.gov/BrownfieldRevitalization/RevitalizationFundApplication.htm>

This version will calculate match percentages and total project cost as you enter your project cost information.

Provide documentation for all match dollars identified on the Sources and Uses of Funds Worksheet.

**All match dollars must have supporting documentation in the form of commitment letters.**

**Attachment A9: SOURCES AND USES OF FUNDS**

Sources of Funds	Name/Organization	Uses of Funds						Totals
		Assessments	Environmental Insurance	Acquisition	Infrastructure	Demolition	Cleanup Remediation	
Clean Ohio Assistance Funds**								\$ -
Applicant								\$ -
Local***								\$ -
								\$ -
								\$ -
State***								\$ -
								\$ -
								\$ -
Federal***								\$ -
								\$ -
								\$ -
Private***								\$ -
								\$ -
								\$ -
<i>SubTotal</i>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Project Cost</b>								\$ -
<b>Percentage of Applicant Match</b>								0.00%
<b>Total Dollars Leveraged</b>								\$ -

**Notes**

\*\*Clean Ohio Assistance Fund Phase II grants may not be used as match.  
 \*\*Clean Ohio Assistance Funds may not be used for assessment, environmental insurance, acquisition or infrastructure.  
 \*\*\*Labor and materials must be supported by proper documentation from the entity providing them.  
**Total Project Cost and Match Dollars include Demolition and Cleanup/Remediation ONLY**

**Attachment 10**  
**Development Partner Authorization and Certification**

I understand that by signing this application, I grant the Ohio Department of Development or its authorized agents access to any records needed for verification and evaluation of the information provided in this application. I understand that filling out this application does not guarantee that I will receive assistance.

I certify that the information I have provided in this application is, to the best of my knowledge, a true, accurate and complete disclosure of the requested information. I understand that I may be held civilly and criminally liable under Federal and State law for knowingly making false or fraudulent statements.

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Development Partner

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Signature

Date

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Name (Print)

Title

**Attachment 11  
Partnership Agreement**

Agreement must be complete, but it can be unsigned.

**Attachment 12**  
**“CLEAN HANDS” AFFIDAVIT**

(Must be completed by Administrative Applicant of Record and any additional applicant(s))

STATE OF OHIO \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

I,

\_\_\_\_\_  
(authorized representative of applicant or development partner)

being first duly sworn, depose and state that I have personal knowledge of, and certify, the following:

1. Neither this applicant nor a preceding organization or entity of this applicant, if any, caused or contributed, either in whole or in part, to the release of hazardous substances or petroleum on the property that is the subject of this application. Neither this applicant nor a preceding organization or entity of this applicant, if any, had any hands on involvement with or control over hazardous substances or petroleum that resulted in a release, or conducted any hands on activities that contributed, in whole or in part, to a release on the property.
  
2. **I understand that I may be found guilty of a felony resulting in a fine of not less than ten thousand dollars (\$10,000) or more than twenty-five thousand dollars (\$25,000), or imprisoned not less than two (2) years or more than four (4) years, or both, for knowingly signing and submitting a false affidavit.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name/Applicant Name/Title

Sworn to before me and signed in my presence this  
\_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**Attachment 13**  
**Tax Information and Disclosure Information**  
**(Completed by Development Partner ONLY)**

I hereby **irrevocably** authorize the Tax Commissioner of the Ohio Department of Taxation or any agent designated by the Tax Commissioner of the Ohio Department of Taxation from the date below until the applicant(s) no longer is receiving funds from the Clean Ohio Council or repaying funds back to the Clean Ohio Council or obligated in any way to the Clean Ohio Council to disclose to the Clean Ohio Council, the Director of the Ohio Department of Development or any designated employee of the Director the amounts of any or all outstanding liabilities for corporation franchise tax, individual income tax, employer withholding tax, sales tax, use tax, or excise tax which are currently unpaid and certified to the Attorney General of the State of Ohio for collection.

I expressly waive notice of the disclosure(s) to the Clean Ohio Council or the Ohio Department of Development by either the Tax Commissioner of the Ohio Department of Taxation or by any agent designated by the Tax Commissioner of the Ohio Department of Taxation. **I expressly waive the confidentiality provisions of Ohio law, including but not limited to, Section 5703.21 of the Ohio Revised Code, which would otherwise prohibit disclosure and agree to hold the Department of Taxation and its employees harmless with respect to the limited disclosure authorized herein.**

**This authorization is to be liberally interpreted and construed; any ambiguity shall be resolved in favor of the Tax Commissioner or the Ohio Department of Taxation.**

This authorization is binding on any and all heirs, beneficiaries, survivors, assigns, executors, administrators, successors, receivers, trustees, or other fiduciaries.

A photocopy or facsimile of this authorization is as valid as the original.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

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Name/Applicant Name/Title \_\_\_\_\_

**Attachment 14  
Financial Liability Form**

Explain any outstanding financial liabilities you (applicant and development partner) have with state or local governments in Ohio. Whether or not the amounts are being contested in a court of law, do you and/or your organization owe:

Any delinquent taxes to the State of Ohio (the "State"), a state agency, or a political subdivision of the State?

Yes    No

Any monies to the State or a state agency for the administration or enforcement of the environmental laws of the State?

Yes    No

Any other monies to the State, a state agency, or a political subdivision of the State that are past due?

Yes    No

Are you or the applicant(s) the subject of any existing tax lien?

Yes    No

If you answered "yes" to any of the above, please provide details of each instance including, but not limited to, the location, amounts, and case identification numbers (if applicable). Attach additional sheets if necessary.

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Signature

Date

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Name/Applicant Name/Title

## **Attachment 15 Financial Audit**

Provide the link to the most recent financial audit available online. Note: Do not send a paper copy.

## **Attachment 16 Public Participation**

**(NOTICE: Failure to comply with public participation procedures can significantly delay approval of the project.)**

Six public participation components are required in order for an application to be eligible for funding. The public meeting is a statutory requirement of the Clean Ohio Assistance Fund. Comments and questions from the public must be allowed prior to and during the public meeting.

In order to announce the proposed project to the public, three actions must occur at least 45 days prior to the public meeting. The three actions do not have to be started on the same day but each must be at least 45 days in advance of the public meeting: (1) place a public notice in the newspaper; (2) erect a sign at the property; (3) place a copy of the application in the library. **The Department of Development recommends that the applicant factor in a period of least 48 days between the date of the public announcements and the date of the public meeting to reduce possible problems regarding the 45 day notice requirement.**

The six components of performing and documenting the public notice are:

1. Public Notice in newspaper announcing meeting at least 45 days prior to the public meeting. **The applicant must post the following information on their website or other local government websites accessible to the community: application summary, legal notice and contact information.** The web link will be displayed in the public notice and on the four feet by four feet sign. A suggested format for the notice is included below. Insert the pertinent information where the parentheses are included. The notice does not have use the type font shown.

*Notice of public meeting and Information repository for a Clean Ohio Assistance Fund Grant*

*The (City of ...) is applying for a grant from the Clean Ohio Assistance Fund for a Phase II Environmental Assessment of the (property name) property located at (address). The application is available for review at the (name) Library, located at (address) until (day after public meeting). A public meeting to discuss and solicit comments to the grant application will be held on (date) at the (location) located at (address) at (time). Application information is also available online at (insert web address). Any questions may be referred to (applicant contact) at (phone number).*

2. Sign on property announcing proposed work, application, and public meeting at least 45 days prior to public meeting. The sign must be at least four feet by four feet and must contain the following information. A suggested format for the notice is included below. Insert the pertinent information where the parentheses are included. The sign does not have to use the type font shown.

**NOTICE**

*The (City of ...) is applying for a Clean Ohio Assistance Fund grant to pay for an environmental assessment of this property, (property name and address). A public meeting will be held on (date) at (time) at the (place name) located at (location). The public is encouraged to attend this meeting to learn more about the application and provide comments about the grant application. The public meeting minutes and any public comments will be incorporated into the application.*

*The application is available for public review at the (Name) library located at (location). Application information is also available online at (insert web address). For more information contact: (name) at (Phone)*

3. Library receipt signed by a librarian indicating that a copy of the application has been placed in the library at least 45 days prior to the public meeting. An example is provided below:

*Date*

*On (date) the (name) library received a copy of the Clean Ohio Assistance Fund application for (name of Property) located at (property location). The application will be available for public review in the reference section until (day of public meeting).*

*Librarian signature*

*Typed name*

*Title*

After these steps have been completed, the applicant must do the following:

4. Fax or email copies of the newspaper public notice, picture of sign, and librarian receipt to the Ohio Department of Development, Urban Development Division within three days of obtaining this evidence. (This information should be faxed at least 42 days prior to the public meeting). The fax number is 614-466-4172. The email address is [urban@development.ohio.gov](mailto:urban@development.ohio.gov). This information is to confirm that legislatively mandated timeframes can be met.
5. Hold the public meeting. Log attendees on a sign-in sheet. Take minutes of the public meeting recording all comments. If comments were received prior to the public meeting, provide copies of the comments and any responses.
6. Public Notice Requirements (provided by Applicant) in **Attachment 16**:
  - Copy of Library Receipt of Application
  - Proof and copy of Newspaper publication of public notice
  - Photograph of property sign and date sign was posted.
  - Comments received during public notice period, if any
  - Sign-in sheet and minutes of public meeting
  - Web address

#### **Attachment 17**

#### **Changes made to application as a result of public process**

- Include list of changes made to the application and indicate places in the application where information was added or deleted.

**Attachment 18**  
**VAP Phase I and/or Closure Documents**

**For ORC 3746 Voluntary Action Program Projects:**

- Provide copy of VAP compliant Phase I Property Assessment.

**AND/OR**

**For ORC 3734 Hazardous Waste Closure Projects:**

- A cleanup plan that includes an assessment of each hazardous waste unit completed in accordance with the Chapter 3 of the March 2008, Ohio EPA, Division of Hazardous Waste Management Closure Plan Review Guidance. (CPRG). The cleanup plan must be designed to achieve the objectives of a closure by removal or a risk-based closure as described in the CPRG.
- A copy of an itemized closure cost estimate developed pursuant to Ohio Administrative Code (OAC) rule 3745-66-42.
- NOTE: If funded, the applicant must prepare, submit for approval by the director of environmental protection, and implement a closure plan that is consistent with OAC Chapter 3745-66 and the CPRG.

**For ORC 3734 Hazardous Waste Generator Closure Projects:**

- A cleanup plan for each generator accumulation area which should be sufficient to support and justify the selection of a closure that is consistent with section 1.10 (Generator Closure) of the CPRG.

**For ORC 3734 Solid Waste Closure Projects:**

- Copy of the approval letter by the director of environmental protection for the solid waste closure plan.
- The application must identify the portions of the closure for which the applicant seeks funding.

## **Attachment 19 VAP Phase II Information**

### **For ORC 3746 Voluntary Action Program Projects:**

Include all the information that typically makes up a VAP compliant Phase II Report, **except** for the following items:

#### **Do NOT provide these documents:**

- Analytical lab data reports.
- ODNR well logs.
- Resumes of personnel.
- Well development forms or field sampling sheets.
- Standard operating procedures.
- Geotechnical reports.
- Monitoring well logs and construction diagrams.
- Geophysical surveys.
- Modeling worksheets and output files.
- Hydraulic evaluation data (i.e. pump tests and slug tests).

The above information should be included in the NFA Letter, and Ohio EPA will review and evaluate the NFA once cleanup activities are complete. For the purposes of the Clean Ohio grant application, assessment data is necessary to help ODOD and Ohio EPA understand the level of contamination that exists on the project property compared to applicable standards, and it helps us determine the reasonableness of the selected remedy and the costs associated with it. ODOD and Ohio EPA deem only the following information crucial for this purpose:

#### **Provide the following documents in Attachment 19:**

- A description of the property covered by the Phase II report.
- The report text typically associated with a Phase II report.
- Summary tables typically associated with a Phase II report.
- Figures, cross-sections, and maps typically associated with a Phase II report.
- Soil boring and test pit logs typically associated with a Phase II report.
- Asbestos survey reports, if asbestos removal and disposal is planned.