

BRELLA PROGRAM APPLICATION CHECKLIST

Submit this checklist with your completed application.

****All items on this checklist are REQUIRED for your application to be considered.****

Completed application form with necessary attachments (reuse plans, etc.)

Full estimated project schedule (including redevelopment milestones and all necessary environmental work.)

Deed with legal description/metes and bounds for the property to be enrolled. (You may need to look past the most recent property deed to procure one that includes a full legal description.)

Proof of publication of the *Notice of Application to Brownfields Reuse and Environmental Liability Limitation Act Program* in a local newspaper. (Public notice template can be located [here](#).)

Check made payable to “State of Vermont” for the \$500 application fee. The check must include a note indicating that it is for a BRELLA application and include the SMS Site # in the check memo.

Completed and notarized application signature and certification.

BROWNFIELDS ENVIRONMENTAL LIABILITY LIMITATION ACT (BRELLA) PROGRAM APPLICATION

A. APPLICANT INFORMATION

1. Name of Applicant*:
2. Applicant Address:
3. Applicant Telephone:
4. Applicant E-mail Address:
5. Applicant's legal interest in the property to be enrolled:

Owner

Purchaser

Other

If the applicant is not the current owner, please provide a brief description of the applicant's interest in the property – e.g. through a purchase and sales agreement, an option agreement, etc.

6. Name and address of current property owner (if applicant is not the owner):
7. Applicant's contact person for purpose of application
8. Applicant organization type:

Sole Proprietor/Individual

Partnership

Corporation

Other

*Please note that the applicant name listed here must exactly match the entity (owner or prospective purchaser) that will be listed on the Certificate of Completion. Any changes to the applicant name (i.e. through the formation of a new LLC, etc.) will necessitate the submittal of a new application and associated fee.

9. If applicant is not a sole proprietor/individual, list names and addresses of partners, owners, or officers, as applicable:

B. PROPERTY INFORMATION

1. E911 Property Address:
2. SPAN # (if known):
3. DEC SMS Site # (if one has been assigned):
4. Size of Property (in acres):
5. Has there been an environmental assessment of the property? (If yes, AND if VTDEC does not already have the reports on file, include copies of all environmental assessments and investigation reports with this application.)

Yes	No
-----	----
6. Describe the physical characteristics of the property:
7. Describe the current use of the property, and the extent to which the property is currently utilized:
8. Provide all known information about the operational history of the property, including any state or federal cleanup and/or enforcement activities:

9. Describe all known releases and threatened releases concerning the property, and the risks to human health and the environment presented by the releases and/or threatened releases:

C. PROPERTY REUSE

1. Describe your plans for reuse of the property. Attach any conceptual site plans or other relevant documents related to the proposed redevelopment/reuse:

D. PROJECT SCHEDULE

1. Use the attached table to detail the redevelopment and remediation schedule. (Write NA for anything that doesn’t apply. If necessary, you may opt to attach a schedule as a separate document in lieu of the included table.)

PROJECT SCHEDULE*		
Task	Anticipated Date Range	Notes
<i>Environmental Tasks</i>		
Phase I ESA		
Phase II ESA/Site Investigation		
Supplemental Site Investigation		
Evaluation of Corrective Action Alternatives (and/or EPA ABCA)		
Corrective Action Plan development and approval		
Corrective Action Plan implementation		
Acquisition of Property		
Project Completion		
<i>Permits</i>		
(i.e. Stormwater, Wastewater, Act 250, Asbestos/Lead, TSCA, or other State and Federal permits)		
<i>Funding</i>		
(Application for and receipt of any project critical funding sources. Please also note any funding related deadlines.)		
<i>Other</i>		
*Enrollment in the BRELLA program protects the applicant from State enforcement action so long as the applicant is working "in good faith" (i.e. within the approved schedule). Please note that VTDEC must be informed of any significant changes to the schedule included in your BRELLA application.		

E. SIGNATURE AND CERTIFICATION

I, the undersigned, being first duly sworn do attest upon my oath as follows:

- A. I agree to comply with the requirements of the Brownfields Reuse and Environmental Liability Limitation Act (10 V.S.A. §6641 et seq.), and understand and agree that failure to comply may result in disqualification from the program and voiding of the protections from liability provided by the Act.
- B. I have accurately disclosed all information currently known to me, or in my possession or control, which related to releases or threatened releases of hazardous materials at the property for which the application is submitted.
- C. I represent that:
 - 1. **as a prospective purchaser**, neither the applicant, nor any of its principals, owners, directors, affiliates, or subsidiaries:
 - a. currently holds or ever held an ownership interest in the property or in any related fixtures of appurtenances, excluding a secured lender's holding indicia of ownership in the property primarily to assure the repayment of a financial obligation;
 - b. directly or indirectly caused or contributed to any releases of hazardous materials at the property;
 - c. currently operates or controls, or ever operated or controlled the operation, at the property, of a facility for the storage treatment, or disposal of hazardous materials from which there was a release;
 - d. disposed of, or arranged for the disposal of hazardous materials at the property, or;
 - e. generated hazardous materials that were disposed of at the property; **or**
 - 2. **as a current owner**, neither the applicant, nor any of its principals, owners, directors, affiliates, or subsidiaries:
 - a. held an ownership interest in the property or in a related fixtures of appurtenances, excluding a secured lender's holding indicia of ownership in the property primarily to assure the repayment of a financial obligation, **at the time** of any disposal of hazardous materials on the property;
 - b. directly or indirectly caused or contributed to any releases or threatened releases of hazardous materials on the property;
 - c. operated, or controlled the operation, at the property of a facility for the storage, treatment, or disposal of hazardous materials at the property;
 - d. disposed of, or arranged for the disposal of hazardous materials at the property; or
 - e. generated the hazardous materials that were disposed of at the property.
- D. I certify under penalty of law that this application and all attachments were personally prepared by me or prepared under my direction or supervision. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment pursuant to 13 V.S.A. §3016.

Dated this _____ day of _____, 202__ at _____

Applicant Signature

Name and Title (printed)

Subscribed and sworn to before me this _____ day of _____, 202__ at

_____, Vermont.

Notary Public

Commission Expires: _____