



BROWNFIELDS PROGRAM

NOTICE OF CLEANUP GRANT FUNDING AVAILABILITY

Brownfields Revolving Loan Fund



Per RSA 147-F:20, the New Hampshire Department of Environmental Services (NHDES) currently administers a Brownfields Revolving Loan Fund (RLF) for the purpose of providing financial support for the cleanup and redevelopment of contaminated properties. In an effort to get Brownfield sites cleaned up and position them for redevelopment, NHDES is making available at least \$400,000 for two or more cleanup grants and is hereby soliciting applications from interested eligible entities. Individual grants will be limited to no more than \$200,000 per site. **Priority consideration will be given to projects that are: 1) ready or near ready for cleanup and redevelopment plans have, at a minimum, been conceptualized; and 2) located in rural, underserved or disadvantaged communities.**

Application Deadline: September 15, 2022

I. WHO CAN APPLY?

Eligible applicants include the following:

- Local governments.
- Quasi-governmental organizations.
- Regional councils.
- Redevelopment agencies.
- Tribal governments.
- Non-profit organizations.

The following are additional applicant eligibility criteria:

- An applicant who is determined to be a generator or transporter of contamination at a brownfields site is ineligible for a grant for that same site.
- The applicant cannot be potentially liable under CERCLA § 107 for contamination at the site subject to the grant.
- An applicant who is determined to have caused or contributed to any releases of hazardous substances at a brownfields site is ineligible for a grant for that same site.
- The applicant must 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 grant.
- The applicant must own the property that is the subject of its grant application no later than December 31, 2022, and retain ownership throughout the performance period for the grant.

II. ELIGIBLE SITE CRITERIA

Eligible sites include any property where redevelopment or reuse is complicated by the presence or potential presence of a hazardous substance or contaminant.

Cleanup grant funds may not be used at any sites:

- Listed, or proposed for listing, on the National Priorities List;
- At which a CERCLA removal action is planned or ongoing (i.e., time critical removal action);
or

- Where a Federal or State agency is planning or conducting a response action; or
- Contaminated by petroleum products except to address a non-petroleum hazardous substance (e.g., co-mingled waste).

III. GRANT REQUIREMENTS

Grant Recipients must enter into a Grant Agreement with the State of New Hampshire to receive funds. Grant Agreements will require Governor and Executive Council approval. The State of New Hampshire requires the following documentation for execution of Grant Agreements. *(Note: This documentation is not required at the time of application submittal but will be needed prior to awarding funds.)*

- **Vendor Code** - issued following the organization's submittal of the W-9 form. (This form provided by NHDES. Grant Recipients that have received funds from NHDES in the past may already have a Vendor Code on file.)
- **Notarized "Grant Agreement"** (the "contract") – provided by NHDES, signed by the Grant Recipient and then notarized.
- **Notarized "Certificate of Authority"** form – signed by the Grant Recipient, and then notarized. (Note: The Certificate of Authority indicates that the person signing the Grant Agreement has the authority to do so.)
- **An original "Certificate of Existence" or "Certificate of Good Standing"** form from the N.H. Secretary of State. (Note: This certificate indicates that an organization has filed its Articles of Agreement with the Secretary of State and is registered and in good standing.)
- **Certificate of Insurance** indicating that the Grant Recipient has the required insurance coverage (statutory worker's compensation; commercial general liability insurance against all claims of bodily injury, death or property damage, in amounts of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate or excess).

IV. REVIEW CRITERIA

The Brownfields Program review team will review and rank the submittals taking into consideration:

- The thoroughness of the application.
- The extent to which a cleanup grant will leverage other funds for cleanup and/or redevelopment.
- The extent to which a grant will provide economic and/or socioeconomic benefits to the community, particularly rural, underserved or disadvantaged communities.
- The extent to which redevelopment/reuse plans have been developed.

NHDES intends to award no more than one grant to cleanup a property where the affected media is limited to only building materials.

V. TIMETABLE FOR GRANT PROCESSING

STEPS	SCHEDULE
Application Deadline	September 15, 2022
Review of applications by NHDES Brownfields Program staff.	September-October 2022
Notify recipients of intent to award grant.	End of October 2022
Draft Grant Agreements and send to recipients for execution.	End of November 2022
NHDES and NH Department of Justice review and execute Grant Agreements.	December 2022
Submit executed Grant Agreements to Governor and Executive Council for approval.	January 2023
Governor and Council approval.	February 2023
Authorization to proceed with project.	March 2023

The performance period for the grant will be the date of Governor and Council approval through December 31, 2024.

For further assistance, contact Michael McCluskey at Michael.G.McCluskey@des.nh.gov or (603) 271-2183 or Scott Drew at Scott.T.Drew@des.nh.gov or (603) 271-2890.