



Missoula Brownfields Revolving Loan Fund

PROGRAM GUIDELINES

CONTENTS

1.0	PROGRAM INTRODUCTION	1
1.1	Purpose and Scope	1
1.2	Summary	1
1.3	Available Funding	1
1.4	Program Priorities	2
1.5	Making Your Application	3
2.0	ELIGIBILITY AND LOAN/GRANT TERMS	3
2.1	Eligibility of Applicants	3
2.1.1	Eligible Applicants - Loans	4
2.1.2	Eligible Applicants - Grants	4
2.2	Eligible Uses of Loans and Grants	5
2.3	Eligible Sites	5
2.4	Lending Policies	6
2.4.1	Term and Amount of Loans	6
2.4.2	Interest Rate	6
2.4.3	Repayment Terms	6
2.4.4	Security	7
2.4.5	Subordination	7
2.5	Exceptions	7
2.6	Community Involvement Requirement	7
2.7	Cross-Cutting Requirements	7
3.0	CLOSING LOANS AND GRANTS	8
3.1	Acquisition of MB-RLF Commitment	8
3.1.1	Initial Contact	8
3.1.2	Application Review Process	8
3.2	Preparation for Loan/Grant Closing	8
3.3	Closing Costs	8
4.0	SERVICING OF LOANS AND REPORTING ON GRANTS AND LOANS	9
4.1	Payment Procedures	9
4.2	Ongoing Reporting by the Recipient	9
4.3	Recordkeeping	10
4.4	Delinquencies	10
5.0	REMEDIATION PLANS	10
5.1	Voluntary Cleanup Program Application	10
5.2	Engineering Evaluation/Cost Analysis	10
5.3	Cleanup Activity	10
	ATTACHMENT A ~ COMMUNITY RELATIONS PLAN	11
	ATTACHMENT B ~ CROSSCUTTING REQUIREMENTS	14
	ATTACHMENT C ~ FLOW CHART	15

1.0 PROGRAM INTRODUCTION

1.1 Purpose and Scope

The purpose of the Missoula Brownfields Revolving Loan Fund (MB-RLF) is to facilitate the reuse and/or redevelopment of contaminated sites by making low-cost funding available for financing environmental cleanups.

Brownfields are defined as abandoned, idled, or under-utilized industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. A major barrier to redeveloping Brownfields in the City of Missoula is the fact that contaminated sites have marginal economic feasibility after considering remediation costs.

The U.S. Environmental Protection Agency (EPA) has provided the City of Missoula with a Revolving Loan Fund (RLF) Grant. Using those funds, the City of Missoula has created the Missoula Brownfields Revolving Loan Fund.

Missoula's Brownfield Revolving Loan Fund can only be used to finance activities of environmental cleanup within the City limits of Missoula.

On behalf of the City, the Montana Community Development Corporation (MCDC) manages the outreach and marketing of the MB-RLF, acts as the fund manager for the City, and provides financial expertise. The City of Missoula, the Brownfields Coordinator in the Missoula Department of Grants and Community Programs, a Qualified Environmental Professional, EPA, and Montana's Department of Environmental Quality manage the cooperative agreement and provide the technical knowledge needed to insure successful environmental cleanups.

1.2 Summary

The MB-RLF accomplishes its purpose in two ways. First, it provides loans and grants to carry out cleanups in the City of Missoula. Second, the MB-RLF leverages other public and private funding sources that stimulate redevelopment of Brownfields sites, creating new jobs and increasing the tax base.

Similar revolving loan funds, such as those supporting investments in wastewater treatment, drinking water and general economic development, typically are capitalized with a combination of federal, state and/or local funds. Through the provision of direct loans, usually at below market interest rates, such revolving loan funds are able to become self-sufficient sources of capital funds for targeted purposes. The fund will revolve by using loan repayments of principal and interest and supplemental EPA grant funds to provide new loans, grants, and other assistance for authorized purposes. If properly managed, such funds can operate in perpetuity.

1.3 Available Funding

The amount available for loans and/or grants from the Brownfields Revolving Loan Fund varies, depending on the number of outstanding grants and loans, and when repayment of loans is expected. The Brownfields Coordinator can provide current information about estimated funds available.

1.4 Program Priorities

The City of Missoula's Brownfields Program is particularly interested in funding projects that will **promote lasting job creation, incorporate green/sustainable deconstruction and building methods, and incorporate affordable housing for low- to moderate-income individuals and families.**

While RLF Brownfields funds can be used for projects with various end uses (commercial, mixed use, etc.) and can only be used for cleanup activities, the most competitive applicants will use loan funds to leverage other funding and partnerships to foster these goals.

Applicants that address these goals will be more competitive in the application process, as will projects that meet as many of the following objectives as possible. The following objectives are also a part of Missoula's *Consolidated Plan*, a document that directs how grant funding is used for Home Investment Partnerships (HOME) and Community Development Block Grant (CDBG) programs. The *Consolidated Plan* was developed with input from and in partnership with Missoula residents, and as such reflects the community's priorities.

The most competitive projects will:

- **Improve neighborhoods** by: Identifying and addressing non-housing needs such as neighborhood-level planning, deteriorating or non-existent infrastructure (such as sewer, transportation needs, street lighting), public facilities, community service facilities, and services and by assisting low- and moderate-income households in obtaining these services; and improving and enhancing neighborhoods and their ability to support economic development and affordable housing by providing necessary infrastructure such as sewer and transportation systems.
- **Promote economic development and invest in the Missoula workforce,** through support for entrepreneurship, local business growth and business innovation; worker education and skill enhancement that will strengthen the earning capacity of low- and moderate-income wage earners; targeting specific areas for re-investment in order to produce a neighborhood impact; coordinating economic development needs with needs in other arenas (housing, human services, public facilities/infrastructure) and in other regions; and developing transportation options for the community's workforce.
- **Decrease housing and community environmental hazards** by mitigating environmental hazards in housing and neighborhoods, promoting "green" practices, and encouraging sustainability.
- **Increase the supply of affordable rental units for low- and moderate-income households,** including people with special needs.
- **Increase affordable homeownership for low- and moderate-income households,** including people with special needs.
- **Increase accessibility in compliance with state and federal laws, regulations and rules** such as: [Montana Human Rights Act](#), which makes it unlawful to discriminate in credit, education, employment, financing, housing, state and local governmental services and

employment, insurance (sex and marital status only) and public accommodations; [Fair Housing Act](#), Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, which prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions; [Title VI of the Civil Rights Act of 1964](#), which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance; [Section 504 of the Rehabilitation Act of 1973](#), which prohibits discrimination based on disability in any program or activity receiving federal financial assistance; [Section 109 of Title I of the Housing and Community Development Act of 1974](#), which prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development Block Grant Program; [Title II of the Americans with Disabilities Act of 1990](#), which prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals; [Architectural Barriers Act of 1968](#), which requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons; [Age Discrimination Act of 1975](#), which prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance; [Title IX of the Education Amendments Act of 1972](#), which prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

1.5 Making Your Application

The information provided in this document is meant to assist you in assessing whether you are eligible for RLF funding through the City of Missoula and to guide you through the application process. Specific application procedures are provided in the document “Missoula Brownfields Revolving Loan Fund: Application.” Additionally, applicants should consult the crosscutting requirements in Attachment B. Because this is a lengthy application, requiring a great deal of information, we are happy to help you at any point with any portion of the application. For many, it will make sense to have a pre-application meeting with the Brownfields Coordinator and/or staff of MCDC to determine if you qualify for participation in the program. We will assist you with the application.

Please contact the following individuals for assistance with completing your application:

City Brownfields Coordinator

Nancy Harte (406) 258-4934 nharte@co.missoula.mt.us

MCDC staff

Dave Glaser (406) 728-9234 x211 daveg@mtcdc.org
Heidi DeArment (406) 728-9234 x213 heidid@mtcdc.org

2.0 ELIGIBILITY AND LOAN/GRANT TERMS

2.1 Eligibility of Applicants

In order to be eligible for assistance under the program, all potential applicants must meet, subject to EPA approval, all requirements for eligibility, including but not limited to having performed **all appropriate inquiry** before or immediately subsequent to property acquisition, as identified in statute and implementing regulations for the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Small Business Liability Relief and Brownfields Revitalization Law.

All appropriate inquiry is defined as “The assessment or evaluation of a property to identify potential environmental contamination and assess potential liability for any contamination present at the property.” See also the EPA website: [Brownfields All Appropriate Inquiry guidelines](#).

2.1.1 Eligible Applicants - Loans

In order to be eligible for a loan under the program, a potential borrower must meet the following qualifications:

- The borrowing entity may not be one that has defaulted or is owned in whole or in part by any individual or entity that has defaulted on any loan made with federal funding or under any program administered by the state.
- The borrower must not be a generator or transporter of hazardous materials at the subject site.
- The borrower must certify that they are not currently, nor have been, subject to any penalties resulting from environmental non-compliance at the site subject to the loan.
- The borrower may not have been suspended, debarred, or otherwise declared ineligible for participation in federal programs.

For the site that the borrower seeks to borrow money, the lead agency (EPA) can determine that the borrower, as the owner/operator, would fall under a statutory exemption from liability, or that the U.S. EPA could use its enforcement discretion and not pursue the party under CERCLA.

2.1.2 Eligible Applicants - Grants

Non-profit organizations and government entities that are not a part of the City of Missoula may be eligible for a grant. In order to be eligible for a grant under the program, a potential grantee must meet the following qualifications:

- The grantee must be a non-profit organization as defined at Section 4(6) of the federal Financial Assistance Management Improvement Act of 1999.
- The grantee must not be a non-profit as defined in Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code that engages in lobbying activities.
- The grantee must own the cleanup site at the time of award and must retain ownership of the site throughout the period of performance of the grant.
- The recipient may not be one that has defaulted or is owned in whole or in part by any individual or entity that has defaulted on any loan made with federal funding or under any program administered by the state.
- The grantee must not be a generator or transporter of hazardous materials at the subject site.
- The grantee must certify that they are not currently, nor have been, subject to any penalties resulting from environmental non-compliance at the site subject to the loan.

In addition to the restrictions identified above, the recipient must take into consideration and document the extent to which a grant will:

- i. Facilitate the creation or preservation of greenspace;
- ii. Benefit the needs of low-income communities who have limited sources of funding for environmental remediation and redevelopment;
- iii. Facilitate the use of existing infrastructure;
- iv. Promote the long-term use of RLF funds.

Generally, grants are limited to \$200,000 per site, and are not required to be repaid.

2.2 Eligible Uses of Loans and Grants

The MB-RLF is funded through a grant from the EPA's Brownfields Program. The funds used in this program have been designated by the U.S. Environmental Protection Agency for **cleanup activities** only.

Acceptable MB-RLF activities include (but may not be limited to) cleanup actions associated with removing, mitigating, or preventing the release or threat of a release of a hazard substance, pollutant, or contaminant, including:

- Fences, warning signs, or other security or site control precautions
- Drainage controls
- Stabilization of berms, dikes, or impoundments or drainage of closing lagoons
- Capping of contaminated soils
- Using chemicals and other materials to retard the spread of the release or mitigate its effects
- Excavation, consolidation, or removal of highly contaminated soils from drainage or other areas
- Removal of drums, barrels, tanks, or other bulk containers that contain or may contain hazardous substances, pollutants or contaminants
- Containment, treatment, disposal, or incineration of hazardous materials
- Provision of an alternative water supply where necessary immediately to reduce exposure of contaminated household water
- Site monitoring activities, including sampling and analysis that are necessary during the cleanup process, including determination of effectiveness of a cleanup
- Costs associated with meeting public participation, worker health and safety, and interagency coordination requirements

The Fund may be used for removal activities, including demolition and/or site preparation that are part of site cleanup. **MB-RLF funds *may not* be used for pre-cleanup environmental response activities, such as site assessment, identification, and characterization.** Missoula has a separate grant program that can do assessments. Contact the City's Brownfields Coordinator for more information.

MB-RLF funds may also be used for purchase of Environmental Insurance.

2.3 Eligible Sites

The MB-RLF is limited to use on sites within the Missoula City Limits that are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant, or that have received a favorable "property specific funding determination" by the EPA. In general, this includes sites contaminated by hazardous substances or controlled substances (e.g., methamphetamine residue).

Funds may be used at the following types of sites:

- Properties that are publicly owned, either directly by a municipality or indirectly through a quasi-public entity such as a community development corporation;

- For grants, properties that are owned by certain non-profits as identified in Section 2.1.2 above; and
- For loans, properties that are privately owned and with clear means of recouping MB-RLF expenditures (e.g., through an agreement with the owner or developer, or through a lien or other security interests)—this includes properties undergoing purchase by an entity who meets the definition of a prospective purchaser.

Funds may **not** be used at any of the following sites:

- Property that is listed or proposed for listing on the National Priorities List
- Sites at which regulations require that a removal action must be taken within six months
- Property that is the subject of a corrective action under orders or agreements issued pursuant to the Montana Hazardous Waste Act (MCA 75-10 Part 4), or Resource Conservation Recovery Act (RCRA)
- A facility which has or should have a permit or interim status pursuant to the Montana Hazardous Waste Act (MCA 75-10 Part 4), for the treatment, storage, or disposal of hazardous waste
- Property that is subject to an order issued by or an agreement with the Montana Water Quality Control Division pursuant to the Montana Water Quality Act (MCA 75-5, Part 4)
- Property that is subject to the provisions of the Underground Storage Tank Program (MCA 75-11)
- Property where a federal or state agency is planning or conducting a response or enforcement action

2.4 Lending Policies

2.4.1 Term and Amount of Loans

Special provisions, such as deferral of principal payments, interest rate reduction, and balloon payments with amortized payments based on longer terms, may be negotiated on a case-by-case basis. For all loans, the term will be determined based upon such factors as the structure of other related loans, the nature of the collateralized assets and the borrower's projected ability to repay the loan.

2.4.2 Interest Rate

The minimum interest rates for loans from the MB-RLF will be four (4) percentage points below the current Wall Street Journal **prime rate** or the maximum interest allowed under Montana state law (MCA 31-1, Part 1), whichever is lower, but in no event will the interest rate be less than one (1) percent. If the prime rate exceeds fourteen (14) percent, the maximum RLF interest rate will not be above ten (10) percent or the maximum interest allowed under Montana state law (MCA 31-1, Part 1), whichever is lower.

2.4.3 Repayment Terms

The schedule of loan payments will be determined on a case-by-case basis based on the applicant's projected ability to repay the loan, the projected value of the collateral and other security, and the overall risk of the project. Repayment terms may involve standard forms of loan amortization, period of accruing interest or interest only payments, extended amortization schedules with balloon payments of principal, and such other terms as may be determined to be appropriate.

2.4.4 Security

Consideration will be given to the merits and potential economic benefits of each loan request. Loans from the MB-RLF will inherently be higher risk than conventional commercial financial institutions might be willing to assume. Therefore, when appropriate, the committee will require liens, assignments, or other rights to assets of assisted firms as collateral according to the following standards:

- To encourage the participation of other lenders, the MB-RLF collateral position may be subordinated and made inferior to liens securing other loans made in connection with the proposed project (see Section 2.4.5, below).
- The MB-RLF may obtain collateral such as liens on inventories, receivables, fixed assets, and/or other assets of the borrower. These liens may also be subordinated to other loans made in connection with the proposed project.
- The MB-RLF may also require security in the form of assignment of patents and licenses, the acquisition of insurance naming the Fund as beneficiary, personal loan guarantees, or such other security as may be necessary to support the Fund's exposure.
- Loan requests submitted by entities that depend largely on certain individuals for their success will be expected to provide and assign to the RLF adequate life insurance on those key people to secure the loan. In certain cases, personal guarantees may be required from the principal owners.

2.4.5 Subordination

After consultation with EPA, subordination of debt and collateral from the MB-RLF may be allowed, but only in cases where necessary to facilitate the maximum financial participation by private institutional lenders. Subordination of financing from the Fund will be negotiated on a case-by-case basis. When appropriate and feasible, subordination of notes payable to officers, owners or other parties affiliated with the borrower will be required. Such subordination may include subordinate security interests and/or repayment restrictions. The execution of inter-creditor agreements will generally be required.

2.5 Exceptions

Subject to final approval by the Environmental Protection Agency, the City of Missoula may recommend exceptions to the policies and criteria discussed in this Section 1.4 in cases where assistance from the Fund will result in extraordinary public benefit.

2.6 Community Involvement Requirement

Attachment A outlines the details of a community involvement plan that is required in the clean-up decision-making process. **The borrower(s) and/or grantees will be required to implement this plan as a condition of any MB-RLF loan or grant.**

2.7 Cross-Cutting Requirements

Attachment B contains a list of federal laws and requirements that may apply to projects or activities receiving assistance through this program. It is unlikely that every law or regulation will apply to a particular project under consideration. The MB-RLF, in conjunction with the Region VIII Office of the Environmental Protection Agency, will provide additional guidance on the applicability of specific cross-cutting requirements on a case-by-case basis. **Those cross-cutting requirements deemed applicable to a specific project will be included as loan or grant conditions.**

3.0 CLOSING LOANS AND GRANTS

3.1 Acquisition of MB-RLF Commitment

In order to ascertain whether and under what terms and conditions the MB-RLF will make a loan or grant, a prospective recipient must acquire a MB-RLF Commitment. The process is shown graphically on **Attachment C** and is described as follows:

3.1.1 Initial Contact

The prospective recipient should follow instructions for the pre-application and application listed on the Application Checklist. All instructions on that list should be followed carefully to make an application. If the applicant has questions about eligibility or about how to complete the pre-application or application, (s)he should contact the Brownfields Coordinator for grant applications or MCDC for loan applications.

3.1.2 Application Review Process

A review of each application will be conducted by the Missoula Department of Grants and Community Programs, the Brownfields Coordinator, and a Qualified Environmental Professional (QEP) hired by the City of Missoula. Staff of the Missoula City/County Health Department, Missoula City Development Services Department, and the Missoula Redevelopment Agency may also complete a courtesy review. The Missoula Community Development Corporation (MCDC) will review all loan applications. MCDC's Loan Review Committee will make a recommendation regarding each loan application to the City.

If a loan or grant is recommended for funding and is less than \$25,000, the recommendation will go to the Mayor for his/her approval. If the recommended award is \$25,000 or greater, the final award recommendation will be referred to the Missoula City Council for its consideration. Recommendations will be heard in a public hearing before the City Administration and Finance Committee, with its recommendation going before the full City Council's regularly scheduled meeting. Upon passage by City Council, the recommendation will go to the Mayor for his/her approval. Once approved, the loan or grant documents will be finalized.

3.2 Preparation for Loan/Grant Closing

MCDC staff will prepare loan closing documents. Draft documents will be available at least ten working days prior to closing. All conditions cited in the Commitment must be satisfied prior to closing. MCDC form documents will be used for all closings.

The Department of Grants and Community Programs (GCP) will prepare grant documents. Draft documents will be available at least ten working days prior to closing. All conditions cited in the Commitment must be satisfied prior to closing. GCP form documents will be used for all closings.

3.3 Closing Costs

In order to prevent delays in closing, the recipient should be aware that (s)he is responsible for the following costs, as applicable, some of which may be financed as part of the loan or grant (if requested at time of application):

- Credit reports on individuals and Dun & Bradstreet reports on company
- Title commitment and policy

- UCC filing fees for property and equipment
- Recording fees for real estate
- Appraisal and valuation fees
- Environmental site assessments, if determined necessary by the City (for grants) or MCDC (for loans)
- Loan commitment and origination fees as determined by MCDC, in no case exceeding a total of two percent (2%)
- Professional fees
- Tax certificates
- Hazard insurance, with the City (for grants) or MCDC (for loans) named as loss payee
- Flood Insurance if the property is located in a flood or mudslide hazard area, as designated by the federal Insurance Administration of the Department of Housing and Urban Development
- Voluntary Cleanup Program review

4.0 SERVICING OF LOANS AND REPORTING ON GRANTS AND LOANS

4.1 Payment Procedures

- Loan payments shall be made directly to MCDC. Loan payments are due the first (1st) of the month, with a late fee of five percent (5%) of the payment due with any payment received on or after the sixth (6th) day of the month.
- Monthly remittances to MCDC shall be mailed to the following address:

Montana Community Development Corporation
 Missoula Brownfields RLF
 229 E. Main
 Missoula, MT 59802

4.2 Ongoing Reporting by the Recipient

The specific grantee or borrower's reporting requirements/frequency will be determined at the time of closing. They include:

- Quarterly reports on the cleanup that document compliance with all relevant federal and state environmental regulations and compliance with all requirements of the MB-RLF. This will include any necessary forms to demonstrate compliance with pertinent requirements such as to seek minority-and women-owned businesses when choosing sub-contractors. Copies of each report should go to the Brownfields Coordinator.
- Quarterly financial statements including basic accounting and control mechanisms to track legitimate use of funds and document that the funds are put to authorized uses. Borrower's and/or grantee's accounting system must track site-specific costs, and track costs by activity and operable unit if applicable. Financial statements are considered to be: (i) Income statements; (ii) Balance Sheet; and (iii) Cash Flow statement. Copies of each report should go to the Brownfields Coordinator and MCDC.
- Additional reports if requested by the City or MCDC.

4.3 Recordkeeping

The grantee or borrower must keep records of compliance with the terms and conditions of the loan or grant and must agree to maintain all records on file for a minimum of ten (10) years from the end of the loan or grant term.

4.4 Delinquencies

Collection procedures for delinquent loans will include, but are not limited to:

- Written notification of late fee assessment
- Written reminder notices of delinquency to the at fifteen (15) and thirty (30) days delinquency
- Follow-up reminder notices with telephone contacts with the borrower at thirty (30) days delinquent and as necessary thereafter
- Personal contact with the borrower after thirty (30) days delinquent and on-site inspections of the project
- Notification of Default at sixty (60) days delinquency Exercise of remedies per loan documentation

5.0 REMEDIATION PLANS

5.1 Voluntary Cleanup Program Application

For all applicable projects, the borrower and/or grantee will be responsible for submission and approval of a Voluntary Cleanup Plan to the Montana Department of Environmental Quality under the Voluntary Cleanup and Redevelopment Act (MCA 75-10-730 through 738) and will work with the City's Qualified Environmental Professional, who will review all documents on behalf of the City of Missoula.

5.2 Engineering Evaluation/Cost Analysis

In addition to the Voluntary Cleanup application, the borrower or grantee must submit an evaluation of the effectiveness, feasibility and cost of alternatives that would satisfy the MB-RLF objectives. The engineering evaluation/cost analysis must include a schedule of activities for the cleanup action.

5.3 Cleanup Activity

All cleanup activity should be completed within a sixty-month period to be eligible for the MB-RLF program.

ATTACHMENT A ~ COMMUNITY RELATIONS PLAN

A Community Relations Plan must be developed for each site receiving a loan or grant through this program. The plan will be site-specific and will therefore be developed only after a redevelopment project has been selected to receive monies from the Fund. The plan will be documented in the Site-Specific Community Relations Plan. The City of Missoula's Brownfields Coordinator will assist with the development and implementation of this plan and will keep documentation on record at the Missoula Department of Grants and Community Programs. The plan will also be submitted to EPA.

The following guide will be used as the basis for developing specific plans:

- A spokesperson will be designated to inform the community of actions taken, respond to inquiries, and provide information.
- Prior to approval of the Voluntary Cleanup Program application (equivalent of an engineering evaluation/cost analysis or EE/CA) interviews will be conducted with local officials, community residents, public interest groups, or other interested and affected parties, as appropriate.
- Prior to approval of the Voluntary Cleanup Program application, a Community Relations Plan will be prepared based on community interviews and other relevant information. It will specify the community relations activities that the City expects will be undertaken during cleanup.
- At least one local information repository will be established at or near the location of the cleanup action that includes public information related to the cleanup. The public will be informed of the repository and notice provided of the availability of the administrative record for public review.
- Notice will be published of availability of the Voluntary Cleanup Plan in a major local newspaper of general circulation.
- A 30-day opportunity will be provided for written and oral comments on the Cleanup Plan. Upon timely request, the public comment period will be extended by a minimum of 15 days.
- A written response to significant comments will be prepared.

NOTE: MB-RLF funds may be used to support community relations and public involvement activities and therefore are not subject to the ten percent cap on such expenditures.

Example:

**SITE SPECIFIC COMMUNITY RELATIONS PLAN
Missoula Brownfields Revolving Loan Fund**

RECIPIENT
ADDRESS:

SITE LOCATION:

SPOKESPERSON:

Name:
Organization:
Address:
Telephone:

INTERVIEWS [if determined to be necessary, interviews must be held prior to approval of the Voluntary Cleanup Plan]:

Are interviews deemed appropriate for this site? **yes** **no**

If no, explain why not:

If yes, who was interviewed?

[include notes from interviews as attachment to this form]

COMMUNITY RELATIONS PLAN:

Information Repository

Has the Administrative Record (including a copy of the proposed Voluntary Cleanup Plan) been established and placed in an information repository? **yes** **no**
{note: creation of this file is mandatory}

Location, name of contact person, and telephone number of information repository:

List each instance of Public Notice given regarding availability of Administrative Record.

Date of latest Public Notice?

Close of comment period (last date of notice plus 30 days):

Were there requests to extend comment period? **yes** **no**

If yes, date extended comment period ends (minimum of 15 day extension):

Public Meetings

Based on public interest and public comments, were any Public Meetings held regarding this loan and cleanup? **yes** **no**

If yes, attach meeting notes {including time, location, list of attendees, and comments received} to this form.

RESPONSE TO COMMENTS

Has the mandatory written response to comments been prepared? **yes** **no**

If no, explain why not

If yes, attach a copy of the response and the list of recipients to this form.

ATTACHMENT B ~ CROSSCUTTING REQUIREMENTS

Economic and Miscellaneous Authorities

- ❑ Debarment and Suspension, Executive Order 12549
- ❑ Demonstration Cities and Metropolitan Development Act of 1966, Pub. L. 89-754, as amended, Executive Order 12372
- ❑ Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the federal Water Pollution Control Act with Respect to federal Contracts, Grants, or Loans
- ❑ Uniform Relocation and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, as amended
- ❑ Davis Bacon Act, as amended (40 U.S.C. 276a-276a-5 and 42 U.S.C. 3222)
- ❑ American Recovery and Reinvestment Act of 2009.

Social Policy Authorities

- ❑ Age Discrimination Act of 1975, Pub. L. 94-135
- ❑ Anti-Lobbying Provisions (40 CFR Part 30)
- ❑ Title VI of the Civil Rights Act of 1964, Pub. L. 88-352
- ❑ Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333) and the Anti-Kickback Acts, as amended (40 USC 276 c), (18 USC 874)
- ❑ Section 13 of the federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 (the Clean Water Act)
- ❑ The Drug-Free Workplace Act of 1988, Pub. L. 100-690 (applies only to the capitalization grant recipient)
- ❑ Equal Employment Opportunity, Executive Order 11246
- ❑ Missoula City Ordinance 3428, “Illegal Discrimination”
- ❑ Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (including Executive Orders 11914 and 11250)
- ❑ Section 129 of the Small Business Administration Reauthorization and Amendment Act of 1988, Pub. L. 100-590
- ❑ Women’s and Minority Business Enterprise, Executive Orders 11625, 12138 and 12432

