

## **Program Application**

Applicants should fill in the application to the best of their knowledge. The Office of Environmental Remediation (OER) will assign a project number to your project. Use this project number in future correspondence with OER.

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### ***Steps for Completing this Application:***

- |   |           |
|---|-----------|
| 1. Provide information on the applicant & the applicant's representative..... | Section 1 |
| 2. Provide property information.....  | Section 2 |
| 3. Provide the project's environmental history & eligibility information..... | Section 3 |
| 4. Provide land use and miscellaneous information.....                        | Section 4 |
| 5. Execute application certification.....                                     | Section 5 |

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### ***How to Submit the Application***

This application is available from the OER web site ([www.nyc.gov/oer](http://www.nyc.gov/oer)). Please complete the application electronically and send one copy via email with scanned attachments to [msarro@dep.nyc.gov](mailto:msarro@dep.nyc.gov) or [schawla@dep.nyc.gov](mailto:schawla@dep.nyc.gov).

Providing complete information will allow OER to promptly review an application and determine a project's eligibility. Please ensure that all required information and attachments are provided with each application.

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### ***How to Receive More Information about the NYC VCP***

For questions regarding this application or to receive more information about the NYC Voluntary Cleanup Program, including details regarding program eligibility and city brownfield grant awards, please contact OER at (212) 788-8841 or via email at: [brownfields@cityhall.nyc.gov](mailto:brownfields@cityhall.nyc.gov)



# NYC VOLUNTARY CLEANUP PROGRAM

## ARTICLE § 43-1401

Leave Blank

### Section 1: Applicant Information

1A. Applicant Information			
Applicant Name:			
Address:			
City:		State:	ZIP Code:
Applicant Representative:			
Phone:		Cell:	E-Mail:
Federal Tax ID:		Fax:	
If applicant is not an individual, check applicable box: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Company <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Trust <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> General Partnership <input type="checkbox"/> Other, describe: _____			
The applicant must certify that he/she is either a participant or a volunteer as defined in NYC Administrative Code § 24-902 by checking one of the boxes below:  <div><input type="checkbox"/> <b>PARTICIPANT</b> An applicant who either: 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum; or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.</div> <div><input type="checkbox"/> <b>VOLUNTEER</b> An applicant other than a participant, including an applicant whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.  NOTE: By checking this box, an applicant also certifies that he/she has exercised appropriate care with respect to the hazardous waste and petroleum found at the site by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.</div>			
What is the Applicant's relationship to the property? (check one): <input type="checkbox"/> Current Owner <input type="checkbox"/> Current mortgage holder <input type="checkbox"/> Current lessee or tenant <input type="checkbox"/> Previous Owner <input type="checkbox"/> Potential/ Future Purchaser <input type="checkbox"/> Other, describe: _____			
If applicant is not the property owner, will the applicant have access to the property throughout the VCP project? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Has the applicant had any involvement with the property described prior to ownership? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details in a separate sheet labeled Attachment 1A.			

Title Holder Information			
Name:			
Address:		City:	State: ZIP Code:
Phone:		Cell:	E-Mail:

Co-applicant Information			
Name:			
Address:		City:	State: ZIP Code:
Phone:		Cell:	E-Mail:

**1B. Applicant Eligibility Information**

1. Are any administrative, civil, or criminal enforcement actions pending against the applicant(s) regarding the site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Is the applicant(s) subject to an existing order or stipulation with NYSDEC or USEPA relating to contamination at the site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Is the applicant(s) subject to an agreement or stipulation relating to contamination at the site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If the applicant answered any of the above questions in the affirmative, please provide complete and detailed Information here.

Label additional sheet(s) as Attachment 1B.

**1C. Applicant's Environmental Consultant**

Consultant's Name:			
Consultant's Firm:			
Address:			
City:		State:	ZIP Code:
Phone:	Cell:	E-Mail:	
<input type="checkbox"/> Check this box if additional pages are necessary.			

**1D. Applicant's Attorney**

Attorney's Name:			
Attorney's Firm:			
Address:			
City:		State:	ZIP Code:
Phone:	Cell:	E-Mail:	
<input type="checkbox"/> Check this box if additional pages are necessary.			

## Section 2: Property Information

### 2A. Project Information Summary Sheet

Is the property located in New York City?

☐ Yes

☐ No

PROJECT NAME:

ADDRESS:

BOROUGH:

ZIP CODE:

PROJECT AREA: \_\_\_\_\_ ACRES

\_\_\_\_\_ SQ FT

FILL OUT THE FOLLOWING INFORMATION FOR ALL TAX BLOCK AND LOTS THAT THE PROJECT OCCUPIES.

Zoning	Block No.	Lot No.	Partial Lot	Complete Lot
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

**PROJECT DESCRIPTION:** Please provide a brief description of the development project. Include the project address, neighborhood/community, current use, and proposed future development.

Label additional sheet(s) as Attachment 2A.

2B. Project Usage Information	Current Usage	Proposed Usage
	Square Footage of Current Gross (total) ft <sup>2</sup>	Square Footage of Proposed Gross (total) ft <sup>2</sup>
Residential		
Retail		
Hotel		
Office		
Manufacturing		
Warehouse/other industrial		
Parking		
Community Facility		
Open Space		
Other (specify):		

2C. Basic Project Information	
Number of buildings to be built at the project site:	
Number of floors in each building	

### ***Section 3: Project Environmental History***

#### **3A. Project Environmental History**

Provide a brief (500 words) environmental history.

See RIR section 2 and RAWP section 1

Label additional sheet(s) as attachment 3A.

#### **3B. Nature of Contamination**

Summarize the investigations conducted and briefly describe the nature of the contamination of soil, groundwater, and soil vapor at the project.

See RIR section 5 and RAWP section 1.4

Label additional sheet(s) as attachment 3B.

#### **3C. Project Schedule**

Provide estimated project phases and schedules.

See RAWP Section 7.0

Label additional sheet(s) as attachment 3C.

### 3D. Project Eligibility Information

1. Does the Site or any portion of the Site have any petroleum spills (open or closed)?  If yes, provide: Spill number(s) _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Is the Site subject to a stipulation agreement with NYSDEC to address the petroleum condition?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Does the Site contain historic fill material OR does the Site contain or have a potential to contain contamination other than petroleum?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Is the Site currently enrolled in the New York State BCP, VCP or listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?  If yes, provide: Site # _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Is the Site or any portion of the Site listed on the National Priorities List?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Is the Site subject to an order, agreement or stipulation (other than relating to a petroleum spill as noted above) providing for cleanup pursuant to the New York State Navigation Law or the New York State Environmental Conservation Law?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Is the Site or any portion of the Site subject to a state or federal enforcement action including an ongoing investigation related to contamination at or emanating from the site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Does the Site have an E-designation or Restrictive Declaration?  If yes, E#: _____ or RD Number _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Additional responses to any question above: (Please list the question number and provide additional information.)

Label additional sheet(s) as Attachment 3D.

### Section 4: Land Use and Miscellaneous Information

<b>4A. Land Use Factors</b>				
1. What is the property's current zoning designation?				
2. What is the property's current use? (check all that apply)	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Vacant <input type="checkbox"/> Recreational
3. What is the property's proposed use? (check all that apply)	<input type="checkbox"/> Unrestricted	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Manufacturing (Industrial)
Please check appropriate boxes and provide an explanation as an attachment if appropriate.	Yes	No	Unknown	
4. Does the proposed use of the property conform to applicable zoning laws or, in the case of a proposed change in zoning laws, will the property conform to the proposed zoning laws by the time the notice of completion is ready to be issued? If no, please explain.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Are there any institutional controls currently applicable to the property? If yes, please explain on an additional sheet labeled attachment 4A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Label additional sheet(s) required to answer any of the above questions as Attachment 4A.				

<b>4B. Enrollment Fee</b>		
<p>In accordance with Section 43-1405 of Chapter 14, Subchapter 1, of Title 43 of the Rules of the City of New York, a \$1000.00 enrollment fee is required for the NYC Voluntary Cleanup Program. OER will issue a separate fee payment request with instructions for submitting payment.</p> <p>Are you requesting a fee waiver?</p> <p style="margin-left: 40px;">Basis for waiver:</p> <div style="margin-left: 80px;"> <input type="checkbox"/> Affordable Housing Project  <input type="checkbox"/> BOA compliant Project  <input type="checkbox"/> Community Facility Development  <input type="checkbox"/> Subdivision of property for OER administrative purposes         </div> <p>If applicable, attach fee waiver request as Attachment 4B.</p>	<input type="checkbox"/> Yes    <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No    <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No



### ***Section 5: Certification of Application***

#### **5A. Certification by Applicant**

I, the undersigned, do attest upon my oath as follows:

I \_\_\_\_\_ (the applicant who is an individual) hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

(By an applicant other than individual)

I hereby affirm that I am \_\_\_\_\_ (title) of \_\_\_\_\_ (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

#### **5B. Qualified Environmental Professional Affirmation of Qualified Local Brownfield Site**

An applicant whose proposed site qualifies as a qualified local brownfield site defined at RCNY § 43-1402(uu)(1)(A) is required to provide the following affirmation by a qualified environmental professional:

I hereby affirm that I am a qualified environmental professional as defined in RCNY § 43-1402(tt) and that a remedial investigation has been conducted on the Site. I further affirm that the results of such remedial investigation demonstrate that the Site is a qualified local brownfield site as defined in RCNY § 43-1402(uu)(1)(A).

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_