



Threshold Eligibility Questionnaire

Instructions

All prospective loan applicants must submit a completed Eligibility Questionnaire to the BRF Fund Manager for review and approval prior to submitting a loan application. Applications for a BRF Loan will only be accepted after the prospective applicant successfully demonstrates they meet the threshold eligibility criteria for receiving a loan.

Borrower Information

Prospective Applicant	
Mailing Address	
City, State, Zip	
Contact Person	
Phone Number	
Email Address	

Borrower Qualifications

The proposed loan applicant must meet the following qualifications and upon request provide any supporting documentation requested by the BRF Fund Manager:

	YES	NO
Applicant is local government entity, quasi-government agency, or private sector business.		
Owns the subject property or has a legal access agreement (provide title opinion).		
Is authorized to incur debt and enter into a legally binding loan agreement.		
Can provide credible proof of their ability to repay the loan.		
Have established liability protection as a bona fide prospective purchaser, contiguous property owner, or innocent landowner, as defined by the U.S. EPA All Appropriate Inquiry Rule.		
Applicant or any member of their immediate family did not cause or contribute to the contamination on the subject property.		
Was not previously suspended, debarred, or declared ineligible for federal finance assistance programs.		



Threshold Eligibility Questionnaire

	YES	NO
Is not currently delinquent in taxes, loan payments, or other indebtedness to the State of West Virginia or any political subdivision.		
Is not currently out of compliance with a Voluntary Remediation Agreement executed as part of a West Virginia Voluntary Remediation Project.		
Are not currently, nor have been, subject to any penalties resulting from environmental non-compliance at the site subject to the loan.		

Site-Related Qualifications

The site where the loan is proposed to be used must meet the following qualifications:

	YES	NO
If the cleanup includes environmental media (e.g., soil, groundwater, etc.), the site is currently enrolled in the Voluntary Remediation Program.		
Is not listed or proposed for listing on the U.S. EPA National Priorities List.		
Is not subject to U.S. EPA unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under the Comprehensive Environmental Response, Compensation, and Liability Act.		
Is not subject to a unilateral enforcement order under § 3008 or § 7003 of the Resource Conservation and Recovery Act.		
Is not subject to a unilateral enforcement order for corrective action issued pursuant to any provision of Chapter 22 of the West Virginia Code.		
Is not subject to the jurisdiction, custody, or control of the United States government.		

Petroleum Site-Related Qualifications

Any petroleum-contaminated site where the loan is proposed to be used must meet the following qualifications:



Threshold Eligibility Questionnaire

	YES	NO
Is of relatively low risk, as compared to other petroleum sites in West Virginia.		
There is “no viable responsible party” for the petroleum contamination.		
Is not subject to any order issued under section 9003(h) of the Solid Waste Disposal Act.		

Certification

As a representative for the prospective loan applicant, the undersigned certifies that the information provided herein is accurate, was collected in a manner and using a process that ensures accuracy, and that I am authorized to provide this information and certify its accuracy on behalf of the prospective loan applicant.

Printed Name

Signature

Date