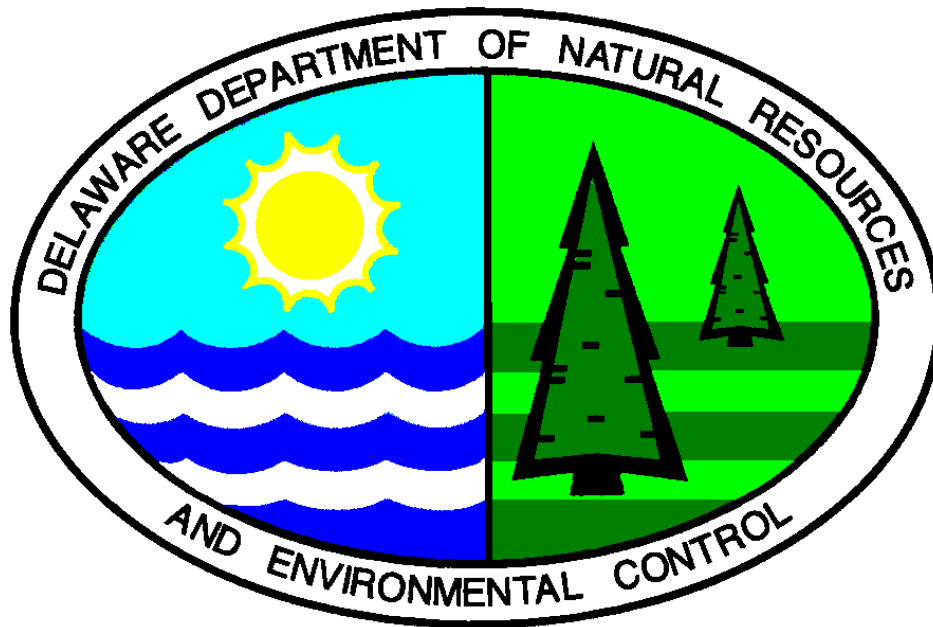


DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL

DIVISION OF WASTE AND HAZARDOUS SUBSTANCES  
REMEDiation SECTION



DELAWARE PROSPECTIVE PURCHASER AGREEMENT  
PROGRAM  
APPLICATION FORM

DE # \_\_\_\_\_

June 2019

**STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL  
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES  
SITE INVESTIGATION AND RESTORATION SECTION  
PROSPECTIVE PURCHASER AGREEMENT PROGRAM**

**PROSPECTIVE PURCHASER AGREEMENT PROGRAM APPLICATION**

This Application is designed to assist an interested party and DNREC in determining whether investigative and remedial activities are warranted at a potential hazardous substance release site, and, if so, whether, under the particular facts, the party and DNREC conclude that it is appropriate to enter into a Prospective Purchaser Agreement (PPA). The PPA has been developed so that a non-labile party interested in purchasing a property that has experienced a past release or releases of hazardous substance may conduct site assessments and/or remedial actions with proper oversight from the DNREC in order to receive the liability protections afforded by the Delaware Hazardous Substance Cleanup Act. When a party enters into a PPA, DNREC will provide oversight with respect to the investigation and remedial activities to be undertaken at the site. The prospective purchaser will be required to reimburse DNREC for the cost of its oversight activities.

Applicants must answer all questions on this Application fully and provide all of the information requested. DNREC will not process any Application unless all required information is complete and all questions have been fully answered to DNREC's satisfaction. Upon review of the completed Application, DNREC will determine the eligibility of the Applicant to enter into a Prospective Purchaser Agreement. DNREC will respond within 30 days after receiving the completed Application.

Finally, please include a check for \$5,000.00 to be used by DNREC to offset its future oversight costs as required by the Prospective Purchaser Agreement. The check should be made payable to the STATE OF DELAWARE to:

Department of Natural Resources and Environmental Control  
Division of Waste and Hazardous Substances  
Remediation Section  
391 Lukens Drive  
New Castle, DE 19720  
Attention: Jill Williams-Hall, Remediation Section  
Jill.Hall@delaware.gov  
Telephone: (302) 395-2600

**STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL  
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES  
REMEDATION SECTION**

**PROSPECTIVE PURCHASER AGREEMENT PROGRAM APPLICATION**

**Please fully answer all requests for information contained in this Application. If you have any questions, you may contact DNREC's Remediation Section at (302) 395-2600 Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.**

**PLEASE TYPE OR PRINT**

DATE \_\_\_\_\_

**Applicant Information** (Please provide Applicant's full legal name)

Applicant: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email address: \_\_\_\_\_ Phone: \_\_\_\_\_

1. Is the Applicant the present owner of the property?       Yes       No

If yes, you are not eligible to enter into a Prospective Purchaser Agreement but you may be eligible to participate in the Voluntary Cleanup Program.

If no, please indicate Applicant's relationship to the property: \_\_\_\_\_

\_\_\_\_\_

2. Present owner if different from the Applicant

Owner/Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email address: \_\_\_\_\_ Phone: \_\_\_\_\_

3. Does the Applicant meet each of the requirements for operation under a Prospective

Purchaser Agreement set forth at 7 Del. C. § 9105(c)(4)b.1-5?  Yes  No

If No, the Applicant is not eligible to enter into a Prospective Purchaser Agreement but may be eligible to participate in the Voluntary Cleanup Program.

4. Did the Applicant or any of its employees or agents cause or contribute to a release of hazardous substances at the Site?  Yes  No

5. Has the Applicant ever been found to be in non-compliance with any of Delaware's environmental laws, regulations, requirements or permits?  Yes  No

If so, please provide a detailed descriptions of the facts resulting in any non-compliance:

---

---

6. Has the Applicant ever been determined to be a chronic violator, pursuant to 7 Del C. Chapter 7904?  Yes  No

7. Who will be executing the Agreement? (If different than Applicant)

Name \_\_\_\_\_

Affiliation \_\_\_\_\_

Address \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

State of Incorporation \_\_\_\_\_ Corp. Status \_\_\_\_\_

Email address: \_\_\_\_\_ Telephone: \_\_\_\_\_

8. Who will be the contact for all matters related to this application? (If different than Applicant)

Name \_\_\_\_\_ Title \_\_\_\_\_

Affiliation \_\_\_\_\_

Address \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Email address: \_\_\_\_\_ Telephone: \_\_\_\_\_

**Site Property Information**

Site Name \_\_\_\_\_

Site Address \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_

SIRS ID # (if applicable) \_\_\_\_\_ Approx. Acreage: \_\_\_\_\_

Tax Parcel Number(s): \_\_\_\_\_

1. Current Property Use:       Residential       Agricultural  
                                          Industrial       Undeveloped  
                                          Commercial       Other

2. To best of your knowledge, are there currently, or have there ever been, any hazardous substances as defined by 7 Del. C., Chapter 91, Section 9103, used, generated, treated, stored, disposed of, or discharged at the site?       Yes       No

3. To best of your knowledge, are there currently, or have there ever been, any above or underground storage tanks at the site?       Yes       No

If yes, what substance(s) was/were contained in the tank(s)? Please note whether the storage was above or under ground.

\_\_\_\_\_  
\_\_\_\_\_

4. Have there been any environmental investigations at the Site?       Yes       No

If yes, please identify each type of investigation, the name of the person/company which conducted the investigation and the date of each investigative report. In addition, please attach executive summaries and/or conclusions relating to each investigative report as an

addendum to this Application. \_\_\_\_\_  
\_\_\_\_\_

5. Is the property subject to a current or prospective development or redevelopment plan?

Yes       No

If yes, please describe the plan and the current stage of development or redevelopment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certification of Applicant**

By executing this Application, I, the undersigned, acknowledge that the project and activities described herein are subject to the provisions of the Delaware Hazardous Substance Cleanup Act (7 Del. C. c.91), the Delaware Regulations Governing Hazardous Substance Cleanup and all applicable DNREC guidance documents and policies. Further, upon my oath I hereby affirm:

1. The Applicant agrees to comply with all applicable federal, state, and local laws and regulations as applicable to this Agreement and activities undertaken pursuant thereto.
2. The Applicant acknowledges and agrees that DNREC reserves the right to disclose any information contained in this Application and its supporting attachments: a) to its staff and attorneys; b) to other state and federal agencies upon request; and c) at any public hearing related to this Application, and in any published notice of such hearing. The Applicant further acknowledges that this Application is subject to disclosure pursuant to the provisions of the Delaware Freedom of Information Act.
3. The Applicant hereby acknowledges and affirms that all information contained herein and in any supporting attachments hereto is true and complete to the best of the Applicant's knowledge and belief.
4. By signing this Application, the Applicant acknowledges that if any information provided herein is submitted knowing it to be false or that material information was knowingly withheld with the intent to mislead DNREC, the Applicant may be

prohibited from participating in any or all future programs administered by DNREC  
and that DNREC may pursue criminal or civil sanctions at its absolute discretion.

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

PPA Application 032116 .doc  
Revised June 17, 2019