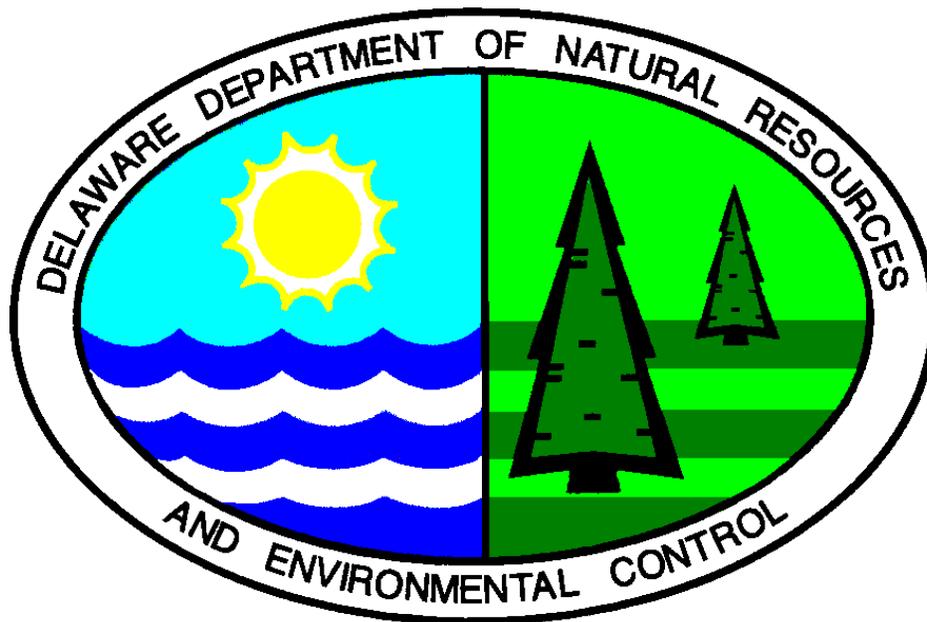


DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
SITE INVESTIGATION AND RESTORATION SECTION



DELAWARE PROSPECTIVE PURCHASER AGREEMENT
PROGRAM
APPLICATION FORM

September 2016

**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-liable party interested in purchasing a property that is believed to have experienced a past release or releases of hazardous substance may conduct site assessments and remedial actions with proper oversight from the DNREC and, thereby 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. If you need additional space for ANY section, please attach an additional sheet or sheets and reference the section to which the information pertains. DNREC will not process any Application unless all required information is complete and all questions have been fully answered. 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 its receipt of 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 and directed to:

Department of Natural Resources and Environmental Control
Division of Waste and Hazardous Substances
Site Investigation and Restoration Section
391 Lukens Drive
New Castle, DE 19720
Attention: Elizabeth LaSorte, Site Investigation and Restoration Section
Elizabeth.LaSorte@state.de.us

Telephone: (302) 395-2600

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 APPLICATION

Please fully answer all requests for information contained in this Application. If you have any questions, you may contact DNREC's Site Investigation & Restoration 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: _____

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: _____

Telephone #: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

4. 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 the answer is yes, please provide a detailed description of the facts resulting in each instance of non-compliance:

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

6. Who will be executing the Prospective Purchaser Agreement? (If other than Applicant)

Name _____

Affiliation _____

Address _____

City: _____ State: _____ Zip Code: _____

State of Incorporation _____

7. Who will be the contact for all matters relating to this Application? (If other than Applicant)

Name _____ Title _____

Affiliation _____ Phone: _____

Address _____

City: _____ State: _____ Zip Code: _____

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

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

If yes, what substance(s) was/were contained in the tank(s)?

4. Have there been any environmental investigations conducted 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, the undersigned hereby acknowledges 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; and, further affirms that:

1. The Applicant agrees to comply with all applicable federal, state, and local laws and regulations as they pertain to any and all activities undertaken pursuant hereto.
2. The Applicant 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) upon request, to other state and federal agencies; c) upon request, as part of any public hearing related to this Application, and, in any published notice of such hearing; and, d) if disclosure is requested pursuant to the provisions of the Delaware Freedom of Information Act.
3. 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 knowing that material information is being 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 also pursue criminal or civil sanctions at its sole discretion.

SIGNATURE: _____

NAME: _____

TITLE: _____

DATE: _____