

APPLICATION FOR BROWNFIELD ELIGIBILITY & ASSESSMENT

At the sole discretion of Corp Comm, applications found not to meet eligibility criteria or containing unsubstantiated statements will be rejected. Corp Comm may require that the applicant provide more information after initial evaluation. Send completed application to:

Oklahoma Corporation Commission
O&G Conservation Division
Attn: Brownfields Program
PO Box 52000
Oklahoma City, OK 73152-2000

APPLICATION FOR BROWNFIELD ELIGIBILITY & ASSESSMENT

***If the BROWNFIELDS APPLICANT'S AFFIDAVIT OF ELIGIBILITY form (2001BF) has not yet been submitted, please submit it with this Application. ***

1. Site¹ Name, Address, and Size

Site Name: _____

Street Address: _____
(not needed if the property is in a rural area with no standard street address)

City/town (if any): _____ County: _____

Site Size (acres): _____ Measured Estimated

2. Geographical Location

Please provide with the application form, a map showing the posted latitude/longitude location and the boundary of the Site (the Property or part of the Property) you wish to enroll.

Legal Location: Quarter____Quarter__Quarter__Section__Township____Range_____

GPS: Latitude _____ (decimal degree) Longitude _____ (decimal degree)
Please note that format should be carried out to 5 decimal places.

Does the latitude and longitude listed above refer to the (check all that apply):

- Center of the Property
- Center of the Site
- Other (specify): _____

Check the method used to determine latitude and longitude:

- GPS tool (Trimble, Garmin, etc.)
- Google Maps/Google Earth
- Bing Maps
- Other (specify): _____

Date of collection _____

Organization providing collection data _____

If using a GPS tool, please state professional unit brand name, model number, datum used, (e.g. NAD 27), _____ and estimated position error _____, if possible.

¹ The proposed site is a defined area; it does NOT need to be the entire property or lease.

3. Site Eligibility

The site may contain material or waste generated by activities under Corp Comm jurisdiction (produced crude or condensate; oil or gas exploration or production wastes; produced water/brine; crude, condensate or product released from pipelines; or petroleum products released from a retail petroleum storage tank). Yes No *If no, the site is not eligible.*

The applicant and landowner agree to cooperate with Corp Comm on site access and security for Corp Comm personnel and their representatives conducting site assessments. Yes No

Is there any court decision or pending litigation relating to the proposed site at this time? Yes No *If Yes, Applicant must also file an affidavit listing any case numbers, venues, and names of parties regarding any pending litigation concerning the site, and any information concerning outstanding judgments, liens, tax levies, etc. filed of record regarding the site at the time the application is filed.*

4. State of the Site

Is a real estate transaction imminent for this site? Yes No

If yes, what is the planned closing date? _____

Assessed Value and date of determination (Optional): _____

Are property taxes paid up-to-date on this property? Yes No

Please provide the contact name, physical address, phone number and e-mail address for verifying the property tax records:

Current Property Use (Use percentage if the site is divided into different use categories.)

- Residential _____%
- Undeveloped _____%
- Commercial _____%
- Agricultural _____%
- Former Oil & Gas Operating Site _____%
- Industrial Use _____%
- Greenspace and wildlife habitat _____%

If industrial or commercial or mixed, describe type of business(s)

Planned Property Reuse (Use percentage if the site is divided into different use categories.)

- Residential _____%
- Commercial _____%
- Agricultural _____%
- Industrial Use _____%
- Greenspace and wildlife habitat _____%

If industrial or commercial or mixed, describe type of business(es)

Contaminants or Contaminated Media Present

Have contaminants been detected on-site? Yes No

Please describe:

5. Involvement with Other Regulatory Programs

Has there been any prior contact with any state or federal environmental regulatory program or agencies relating to environmental issues at this site? Yes No

If yes, please describe all prior contact with any state or federal environmental regulatory program or agency, including:

- Corp Comm, Oil and Gas or PST Division;
- Any state or federal Notice of Violation or administrative order or any other notice of enforcement action issued relating to contamination at the site; and
- Any unresolved federal or state enforcement, RCRA or Superfund action associated with the site.

Attach additional sheets as necessary.

6. Targeted Brownfields Assessment (TBA)

Sites possibly eligible for a TBA are those owned or under contract by public, quasi-public, and non-profit entities, including tribes and governmental entities.

Corporation Commission's Brownfields Program may elect to:

- (1) Perform a Targeted Brownfields Assessment (TBA) itself, or
- (2) Request that EPA's contractor perform a Targeted Brownfields Assessment, or
- (3) Decline to perform the Targeted Brownfields Assessment for funding or other appropriate reasons.

The following limitations of the Corp Comm TBA should be considered prior to completing a TBA request:

- (1) The TBA process is not appropriate to correct situations where an immediate and substantial endangerment to human health and the environment exists. For these immediately contact the nearest district office of Corp Comm.
- (2) The TBA process may not be appropriate for sites in which there are active and ongoing oil and gas activities. The applicant should discuss this issue with Corp Comm personnel.
- (3) The applicant should recognize that environmental site assessments cannot eliminate all uncertainty, are not always exhaustive in their level of inquiry, or warrant being exhaustive in their level of inquiry. Therefore, Corp Comm cannot be held liable for any damage arising from contamination not discovered during the Corp Comm TBA or from any damages, monetary or otherwise, from contamination discovered during the Corp Comm TBA.

Are you requesting a TBA? Yes No

7. Brownfields Redevelopment Plan

The applicant may skip this if not requesting a TBA.

In order to determine which sites should be provided with the TBAs, Corp Comm requests that a summary of the redevelopment plan be attached to this application form. The plan should include any public/private partnerships, non-profit, state or federal government involvement, private industry interest, etc. Include a discussion of the envisioned final product, including increase in taxable appraised value of the property and potential for creating jobs. Discussion of in-kind services from the applicant(s) such as mowing, providing water or fencing would also be helpful for our evaluation.

8. Other Supporting Documentation

The applicant should attach the metes and bounds description of the Property (which includes but is not limited to the Site being enrolled) to the application, if available, as well as any previously completed environmental site assessments, for example, Phase I or Phase II pertaining to the Site.

9. Right-of-Entry Consent and Release Form

The Corp Comm Right-of- Entry Consent and Release form (2002BF) must be filled out, signed, and sent in with the application.

10. Applicants, Owners, Prospective Owners and Other Contacts

Applicant A (Lead person/entity seeking to clean up and/or develop the property)

Applicant: _____

Public, quasi-public, or non-profit status _____

Contact Person: _____ Title: _____

Email: _____

Organization: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: (____) _____ Fax: (____) _____

Internet address: _____

Interest in Property: _____

Does the Applicant want to receive copies of Corp Comm correspondence? Yes No

Applicant B

Applicant: _____

Contact Person: _____ Title: _____

Email: _____

Organization: _____

Street Address : _____

City: _____ State: _____ Zip Code: _____

Phone: (____) _____ Fax: (____) _____

Internet address: _____

Interest in Property: _____

Does the Applicant want to receive copies of Corp Comm correspondence? Yes No

Applicant C Surface Owner, if different from above (Optional)

Applicant: _____

Contact Person: _____ Title: _____

Email: _____

Organization: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: (____) _____ Fax: (____) _____ Internet

address: _____

Interest in Property: _____

Does the Applicant want to receive copies of Corp Comm correspondence? Yes No

If Additional applicants or surface owners are to be listed on the application, provide a separate page with the address and information for each.

11. Correctness of Information

The undersigned affirm that the information contained in this application is true and accurate to the best of their knowledge.

Applicant is required to notify the Brownfields staff in writing of any litigation which is initiated regarding the site, and any judgments, liens, tax levies, etc. which are filed of record after applicant files its application with the Commission.

12. Applicant's Signatures

Applicant A

Signature: _____ Name: _____
(print or type)

Date: _____ Title: _____

Applicant B

Signature: _____ Name: _____
(print or type)

Date: _____ Title: _____

Applicant C

Signature: _____ Name: _____
(print or type)

Date: _____ Title: _____