***PRFBSRs and their representatives:***

***To facilitate FDEP review of your request, please follow the instructions below, answer the questions, and attach to the BSRA package before submitting to FDEP.***

**CHECKLIST for BROWNFIELDS SITE REHABILITATION AGREEMENT**

Prior to sending a Brownfield Site Rehabilitation Agreement (BSRA) to the Department of Environmental Protection (FDEP)for review, please ensure the information contained in the BSRA is correct, all documents submitted, and the questions below answered prior to forwarding the BSRA packet (draft agreement with exhibits) to FDEP.

**FDEP District BF Coordinator** -BEFORE forwarding a BSRA Packet to FDEP Tallahassee for review:

* If there are problems with the documents or attachments (especially if any attachments are missing), inform sender (Person Responsible for Brownfields Site Rehabilitation –PRBSR- or representative), require corrections be made, and the corrected document with attachments be sent to the project manager.
* Alternatively, if all documents have been submitted and there are only a couple of very minor errors with the document, point them out (including what the document should say), and forward to FDEP Tallahassee for review. All attachments (either completed and signed, or completed/draft and unsigned with information about when the signed document will be submitted) must be included, however.

**PRFBSR/BF Applicant:**

In your email or letter requesting FDEP review please provide the following information (including this checklist, please circle either **YES** or **NO** for each question).

Is there an event (i.e., real estate closing) or meeting (i.e., county commission meeting) that this document needs to be executed or approved by FDEP prior to? YES, if so, what is the event and when is the event \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ NO

Is the site located in a brownfield area? YES NO

If no, please indicate when an area designation is expected \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Is the site listed on CERCLIS? YES NO

If yes, please provide the CERCLIS ID number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Is the site a solid waste site or landfill (*if yes, project manager and PRFBSR should probably discuss)?* YES NO

\_\_\_\_\_\_ Check the appropriate enforcement (District and delegated or contracted county) files to determine whether there was an enforcement case regarding this location or this PRBSR. FDEP District can assist with this.

Did the PRFBSR cause or contribute to the contamination after July 1, 1997?

YES or No

Are there any open consent orders or other FDEP actions associated with the site? YES or NO If yes, please provide the order number or other information\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If the site/PFBSR is the subject of orders or FDEP actions, are they in good faith compliance? YES or NO. Explain: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If the answer to any of the above is “yes” please provide that information and documentation. Even if you are not sure about the relationship, please send the documents/information.

* Check the public records to confirm the identification of the Real Property Owner (RPO) (Clerk of the Court search for the most recent deed or County Property Appraiser’s websites).

 Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If the name on the BSRA (if the PRFBSR is the owner) or site access agreement does not match the name of the RPO in the public records, please provide the name of the RPO. Ask the PRFBSR why the RPO name from the public records does not match the BSRA or Site Access agreement (as applicable).

* \_\_\_\_\_\_\_\_\_\_Date of the BSRA template being used (see footer; August 2016 is the most recent).

\_\_\_\_\_\_ Highlight each modification to the template language, if any. (You can use “compare documents” in Word to facilitate this review.)

* + If there are any changes to the template language, please highlight the ‘new’ language in the draft and relate your concerns and comments about each change to the template.
	+ Please delete ALL instructions from the Model BSRA -instructions are noted in parenthesis **{}** or **[]** but not **()**.
* Does the person signing the document on behalf of the PRBSR have adequate authority to sign on behalf of the entity that is the PRBSR? (*May also be VCTC issues with multiple entities.)*

**YES** or **NO**, if not, why \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?

* + See the OGC internet website enforcement manual for information regarding signatory authority. See the following link to guidance regarding signature authority - http://www.dep.state.fl.us/legal/Enforcement/appendix/models/signatory.pdf For corporations, companies and LLCs check *sunbiz.org* to confirm names of managing members and corporate officers.
* Provide all applicable Facility Name and FDEP Identification Number(s)? (Com #, Facility #, & BF Identification Number). \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Check for accuracy all facts and contacts included in the document.

 Are all exhibits labeled and attached **YES NO** (if not which attachments and why\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)?

* Attachment A – please be sure that there is a legible map of both the designated brownfield area as well as the boundaries of the brownfields contaminated site that is the subject of the BSRA. Include all relevant amendments to the local government resolution creating the BF Area.
* Attachment C – does not have to be executed until the BSRA is executed, however, the name and title of the person who will sign the site access agreement must be provided. Is Name of person signing the site access agreement provided?
	+ Does the person signing the site access agreement have authority to sign for the property owner? **YES NO**, if not, why \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?
* Attachment D – the certification of redevelopment should provide information with how the BF site will be redeveloped (land use) as well as the local government’s approval
* Attachment E – is the correct certification form used?
* Attachment F – must be included but you do not need provide a list of contaminants that will be tested. Included.
* Attachment G – this list should include the name, address, phone number, and purpose for which the individual is on the advisory committee.
* Attachment H – Please review before submitting technical documents.

\_\_\_\_\_\_ Is the Facility (or discharge on the Property) eligible for the Dry-cleaning Solvent Cleanup Program or Petroleum Restoration Program (ATRP, EDI, FPLRIP, IVPSSR, or PCPP)?

* If so, is that information included in the BSRA?
* **If eligible for DSCP please copy Jennifer Farrell, FDEP Waste Cleanup,** Tallahassee on the BSRA packet when forwardingto OGC. Jennifer.A.Farrell@dep.state.fl.us.
* **If eligible for PRP, please copy Lewis Cornman, PRP eligibility coordinato**r, FDEP, Tallahassee on the BSRA packet when forwarding to OGC. Lewis.cornman@dep.state.fl.us

**District BF Coordinator:** The BSRA package of documents should be scanned into Oculus links provided (link to the BSRA in Word, remaining documents and attachments can be in a separate link in .pdf).

**BF Coordinator**: Please complete and attach the **LCT Case Entry Form for BSRAs** and be sure it is the first attachment in the **email to the Agency Clerk with the email Subject: *BSRA-need OGC #*.** Your email should be sent to Lea Crandall Agency\_clerk@dep.state.fl.us **and copy** Dan Blackwell, Program Section Paralegal, Dan.Blackwell@dep.state.fl.us.