

Notice: Use of this form is required by the DNR for any application filed pursuant to s. 292.72, Wis. Stats. Personally identifiable information collected will be used for loan and grant administration and will also be accessible by request under Wisconsin's Open Records law. [ss. 19.31 – 19.69, Wis. Stats.]. Applications must be complete in order to be processed. This form may not be altered in any way. If the Department receives an altered form, the form will be returned to the applicant without being processed.

DNR Use Only		
Application No.	Region	Project Notes
Project Manager	PM Phone Number	
EPA Contact Date		
Eligible? <input type="checkbox"/> Yes <input type="checkbox"/> No	Loan or Grant Awarded? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Instructions: Please complete the following information in order to receive an eligibility and award determination for a Hazardous Substance Ready for Reuse loan or grant for the brownfield site. Final determination is done in partnership between DNR and US EPA. Submit one hard copy of the application and all its attachments. Large reports may be submitted on a CD. For additional information about this program, visit us on the DNR's web site at: dnr.wi.gov/org/aw/rr/rif/.

<input checked="" type="checkbox"/> Loan Request	<input type="checkbox"/> Grant Request
Amount of Request	\$ 2,000,000

Cleanup Start Date:	10/1/2024
Cleanup End Date:	10/1/2026

This is a request to clean up:

- ☐ **Hazardous substances only** ☒ **Both hazardous substances and petroleum, co-mingled**
☐ **Both hazardous substances and petroleum, not co-mingled but in distinct areas of the property**

In order to be eligible for the Ready for Reuse Program and receive priority funding, all the following criteria must be met:

- ☒ **The site must meet the federal definition of an "eligible brownfield site."** The project "site" may be made up of separate legal properties, or part of one property. See the Ready for Reuse web site for additional information.
- ☒ **Grants: The applicant must be an eligible governmental entity, tribe (or other eligible tribal entity) or an eligible non-profit organization. Loans: The applicant must be an eligible governmental entity.**
- ☐ **If applying for a grant, the applicant must own the site.**
- ☒ **The applicant must have no CERCLA liability for the site.**
- ☒ **Cleanup is for hazardous substance contamination only.** For cleanup of both hazardous substances and petroleum products which are co-mingled, the hazardous substances must be the main contaminants of concern. For cleanup of petroleum substances, use the Ready for Reuse Petroleum Loan and Grant Application (Form 4400-239).
- ☒ **The ch. NR 716 Site Investigation, Wis. Admin., Code, for the site is complete, and has been at least submitted to the DNR.** Higher preference is given to those that DNR has approved.
- ☒ **The applicant has secured financing in place to complete the cleanup and redevelopment.**
- ☒ **A municipal resolution authorizing the governmental entity to apply for and receive Ready for Reuse funding has been passed (not applicable to non-profits).** (Submit as Attachment F)

Section 1: Applicant Information	
Type of Eligible Applicant (see the Ready for Reuse Fact Sheet (RR-753) for additional information) <input type="checkbox"/> County <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> Tribe <input type="checkbox"/> Other eligible governmental agency*: Please specify: <input type="checkbox"/> Other eligible tribal entity *: Please specify: <input type="checkbox"/> Non-Profit Organization [e.g. 501(c)(3)]* * Submit proof of applicant eligibility in Attachment G.	
Applicant Name City of West Allis	County Milwaukee
Address 7525 W Greenfield Ave	

City West Allis	State WI	Zip Code 53214
Web Site (if applicable) https://www.westalliswi.gov/		Population 58,950
State Assembly District 14	State Senate District 5	

Section 2: Contact Information for Applicant

Authorized Representative Emily Cialdini (Land By Label, LXL Allis Yards LC)	Title Vice President Development
Mailing address 638 Milwaukee Street	
Phone 262.305.2940	Fax N/A
Email emily.c@landbylabel.com	

Contact Person	Title
Mailing address (if different from above)	
Phone	Fax
Email	

Environmental Consultant or Contractor (if applicable) Bob Cigale (Endpoint Solutions)	Title Owner/Principal Geologist	
Address 6871 South Lovers Lane		
City Franklin	State WI	Zip code 53132
Phone 414-858-1202	Fax N/A	
Email bob@endpointcorporation.com		

Section 3: Project Information

- What is the project name? **Allis Yards**
- Is the project composed of multiple contiguous properties? ☐ Yes ☒ No

If yes, how many separate properties are included in the project?

Sections 4, 5, 6, 7 and 8 on pages 3-6 of this application must be filled out and submitted for each individual property included in the funding request.

- Briefly describe the entire project. (e.g. *Cleanup of a former tannery in the city's downtown redevelopment zone. Will be redeveloped as a pharmacy.*) **Cleanup of the former Allis Chalmers manufacturing facility at the southeast corner of Washington Avenue and of 70th Street, the City's main gateway corridor. The site will be redeveloped as a Class-A, high-end 246-unit apartment development.**

Section 4: Property Information

Property Name
Allis Yards

Property Address(es)
1070 S. 70th St.

City
West Allis

State
WI

Zip code
53214

Size (acres)
4.5481

DNR BRRTS #
02-41-585129

Tax Parcel #s
Part of 439-9002-000

Section 5: Applicant & Property Eligibility

If the applicant owns the property, complete Section 5, Part A. If the applicant does not own the property, complete Section 5, Part B.

Section 5 – Part A: Applicant Ownership & CERCLA Liability

If the applicant owns the property, please complete all the questions in this section.

1. When did the applicant acquire the property?
2. Was the property acquired by one of the following “involuntary” methods? ☐ Yes ☐ No
If yes, check the appropriate method.
 - ☐ tax deed/foreclosure
 - ☐ escheat
 - ☐ DNR stewardship funds
 - ☐ condemnation or other proceedings under ch. 32, Wis. Stats.
 - ☐ bankruptcy order
 - ☐ slum or blight proceeding under state statutes, such as ch. 66, Wis. Stats.
 - ☐ other: _____
3. Did the applicant conduct a Phase 1 environmental site assessment (or other due diligence) within 180 days prior to acquiring the property? ☐ Yes - Date: _____
☐ No
 - If no, did the applicant review and rely on an existing Phase 1 site assessment prior to purchasing the property?
☐ Yes ☐ No
 - If yes -- Date of Phase 1: _____ If applicable, ASTM standard referenced in the Phase 1: _____
 - If no – Please attach a summary of the environmental due diligence that was used at the time of acquisition, and how you believe it was “standard practice” at the time of acquisition, in **Attachment E**.
4. Describe whether or not the original hazardous substance discharges occurred prior to ownership, after ownership, or both?
5. What “due care” activities, if any, did the applicant perform after taking ownership?
6. Has the applicant ever leased the property to another party? ☐ Yes ☐ No
If yes, to whom was it leased, for how long, and did the lessee handle any potentially hazardous substances at the property?
7. Did the applicant cause or contribute to the contamination on the property? ☐ Yes ☐ No
 - If yes, provide details.
 - If no, describe the possible causers of contamination, and their ability to clean it up.
8. Is the applicant affiliated or related in any way with any former owner or operator of the property, or with any person who may have generated hazardous substances located at or near the property, or with any person who may have transported or arranged for the transportation of hazardous substances located at or near the property? ☐ Yes ☐ No

- If yes, explain the affiliation or relationship.

9. In order to be eligible for these funds, the applicant must not have CERCLA s. 107 liability.

a. Please mark which CERCLA s. 107 defense you are claiming for this property.

- ☐ **Bona Fide Prospective Purchaser** – For property acquired after January 11, 2002, where environmental due diligence was conducted in accordance with the federal All Appropriate Inquiry (AAI) standard.
- ☐ **Involuntary Acquisition or Transfer** – Only generally available to governmental entities.
- ☐ **Standard Practice for Due Diligence** – For property acquired prior to January 11, 2002.

b. Describe why you believe you meet the defense you checked. If claiming Bona Fide Prospective Purchaser, also include information on how you have met AAI continuing obligations. Submit all formal statements and other pertinent documentation in **Attachment E**. (See the [Ready for Reuse web page](#) for additional guidance.)

Section 5 – Part B: Other Entity Ownership

If the applicant does not own the property, please complete all the questions in this section.

1. Who currently owns this property:

- ☐ Another local unit of government (name _____)
- ☐ Non-profit Organization (name _____)
- ☒ Other (name and contact information) **West Quarter East, LLC; Contact: Bill Ohm, boh@cobaltmke.com**

2. If the applicant does not own the property, does the applicant plan to acquire it? ☐ Yes ☒ No

- If yes, when and by what means?

- If no, does the applicant have legal access to 100% of the property? ☐ Yes ☒ No
 - If yes, please attach access agreements.
 - If no, how does the applicant plan to conduct cleanup on the property?
Developer Land By Label LLC will conduct all cleanup activities.

3. Did the owner cause the discharge of a hazardous substance on the property? ☐ Yes ☒ No

- If yes, please explain the discharge.

4. Who was the immediate past owner of the site, and when did the current owner purchase the property?

1126 WEST ALLIS OPERATING ASSOCIATES; 03/29/2019

Section 6: Site Eligibility

1. Does the site meet the federal definition of a "brownfield?" (see the [Ready for Reuse web page](#) for a definition)

- ☒ Yes ☐ No

2. Check all that apply.

- ☐ The site is a facility subject to planned or ongoing CERCLA removal actions.
- ☐ The site is a facility subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decree or to which a permit has been issued by the United States or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA).
- ☐ The site is a facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h)) and to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures.
- ☐ The site is a facility that is a disposal units that has filed a closure notification under subtitle C of RCRA and to which closure requirements have been specified in a closure plan or permit.
- ☐ The site is a facility where there has been a release of polychlorinated biphenyls (PCBs) and is subject to remediation under TSCA.
- ☐ The site is a facility listed (or proposed for listing) on the National Priorities List (NPL).
- ☐ The site is a facility subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decree issued to or entered into by parties under CERCLA.
- ☐ The site is a facility subject to the jurisdiction, custody or control of the United States government. (This does not include land held in trust by the United States government for an Indian tribe.)

Section 7: Property History

1. Provide a brief, written history of the property. Submit as an additional page, if necessary.

The Site currently consists of a vacant parcel. According to the 1910 Sanborn Fire Insurance Map obtained via the Milwaukee County geographic information system (GIS) and Land Information Interactive Map, the Site was a portion of the larger Allis-Chalmers manufacturing complex. In 1910, only the southern extent of the Site contained structures. The remainder of the Site consisted of undeveloped space containing multiple rail spurs. A copy of the 1910 Sanborn Fire insurance Map is attached as Figure B.1.c. to the Remedial Actions Options Report dated June 25, 2024 and prepared by Endpoint Solutions on file at the DNR.

According to the next historic source available on the Milwaukee County GIS and Land Information Interactive Map (1937 aerial photograph), additional buildings have been constructed, primarily along South 70th Street to the north of the buildings previously observed on the 1910 Sanborn Fire Insurance map. In general, the new development is limited to the western one-third (1/3) to one-half (1/2) of the Site, while the eastern one-half (1/2) to two-thirds (2/3) remained vacant and utilized as a surface parking lot.

By 1990, portions of the Allis-Chalmers facility to the north of the Site, as well as the building located on the southeast portion of the Site have been demolished. By 2005, the areas to the north and south of the Site had been redeveloped into their current configurations. By 2020, demolition of the buildings on the Site had begun and was completed by 2022. The site has remained vacant since the completion of the demolition. According to information provided by Ramboll in the Combined NR 716 Site Investigation and NR 722 Remedial Actions Report (January 2023), the buildings formerly located on the Site were utilized as offices.

2. Past Land Uses (select all that apply):

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> agricultural co-op | <input type="checkbox"/> coal gas manufacturer | <input type="checkbox"/> dry cleaner | <input type="checkbox"/> electroplater |
| <input type="checkbox"/> landfill | <input checked="" type="checkbox"/> manufacturing | <input type="checkbox"/> petroleum bulk plant | <input type="checkbox"/> pipeline |
| <input type="checkbox"/> salvage yard | <input type="checkbox"/> service station | <input type="checkbox"/> tannery | <input type="checkbox"/> unknown |
| <input checked="" type="checkbox"/> other: Office | | | |

3. What is the current use of the property?

- | | | | |
|---------------------------------------|--------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> agricultural | <input type="checkbox"/> commercial | <input type="checkbox"/> industrial | <input type="checkbox"/> public use |
| <input type="checkbox"/> recreational | <input type="checkbox"/> residential | <input type="checkbox"/> other: | |

- Is the property currently vacant? ☒ Yes ☐ No
- What is the current zoning for the property? **C-3 Commercial**

4. Describe the existing site conditions, including existing buildings.

Site is currently vacant land

5. What types of hazardous substances are known to be present at the site or facility? If possible, provide chemical names and the media contaminated (e.g. lead in soil).

The site contains a surficial layer of historic fill containing foundry wastes. Beneath the surficial fill materials, native soil consisting of lean clay was encountered. Groundwater was not encountered within 35-feet of the ground surface. Sampling of the surficial fill materials revealed the presence of elevated concentrations of several volatile organic compounds (VOCs) including trichloroethene (TCE), 1,1,1-trichloroethane (1,1,1-TCA), tetrachloroethene (PCE), cis-1,2-dichloroethene (c-1,2-DCE), benzene, 1,2,4-trimethylbenzene (1,2,4-TMB), toluene, tert-butylbenzene and 2-chlorotoluene; polycyclic aromatic hydrocarbons (PAHs) including benzo(a)pyrene (BaP), benzo(b)fluoranthene (BbF) and chrysene, and metals including lead and arsenic. A small volume of surficial fill materials was also revealed to contain a low-concentration of total polychlorinated biphenyls (PCBs).

6. Known or suspected sources/wastes (select all that apply):

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> aboveground pipeline or tank | <input type="checkbox"/> burning of materials | <input type="checkbox"/> contaminated building | <input type="checkbox"/> dumping or buried drums |
| <input type="checkbox"/> fly ash | <input checked="" type="checkbox"/> foundry sand | <input type="checkbox"/> industrial accident | <input type="checkbox"/> lagoon |
| <input checked="" type="checkbox"/> routine industrial operations | <input checked="" type="checkbox"/> surface spills | <input type="checkbox"/> transformer | <input type="checkbox"/> underground pipeline or tank |
| <input checked="" type="checkbox"/> other(s): Historic railroad activities on site. | | | |

7. Has the State of Wisconsin ever been notified of the discharge of hazardous substance(s) at the site or facility? ☒ Yes ☐ No
- If yes, when? **A Notification For Hazardous Substance Discharge was submitted to the WDNR on January 9, 2020 which resulted in the WDNR opening an environmental repair program (ERP) case (BRRTS # 02-41-585129) on January 17, 2020.**

Section 8: Cleanup Information

1. Has a ch. NR 716 Site Investigation been submitted to the State of Wisconsin?
☒ Yes: Submittal Date **January 3, 2023, July 25, 2023 and April 11, 2024** State Agency **WDNR**
☐ No: Anticipated date of submittal _____ State Agency _____
2. Has a ch. NR 716 Site Investigation been approved by the State of Wisconsin for this site?
☒ Yes: Approval Date **6/12/2024** Approval Agency **WDNR** Project Manager **Per John "Greg" Moll, the SI is complete with the exception of post-construction sub-slab vapor sampling.**
☐ No: Anticipated date of approval _____ Approval Agency _____
3. Is a cleanup action required by the DNR at this property? ☒ Yes ☐ No
4. Has a ch. NR 722 Remedial Actions Option Report been submitted to the DNR for review and approval?
☒ Yes: Date of Submittal **6/25/2024** Approval Date (if approved) _____ Project Manager **John "Greg" Moll**
☐ No: Anticipated date of submittal _____
5. Briefly describe the preferred cleanup plan, including the estimated cost.
According to the RAOR, the preferred remedial action at the Site consists of the excavation and offsite disposal of contaminated soil from within the proposed building footprint, along with contaminated soils outside of the proposed building footprint to depths sufficient to construct direct contact exposure barriers. The direct contact exposure barriers will consist of the proposed building slab-on-grade and foundation walls, exterior pavement sections and an 18-inch thick layer of clean soil within non-structural, landscaped areas. Due to the presence of chlorinated VOC (CVOC) contamination in historic fill materials on the site, as well as within soils present beneath the West Washington Street right-of-way, a sub-slab vapor mitigation system consisting of A vapor barrier and vent piping will be installed, an external barrier and venting system will be installed along the north foundation wall of the proposed structure, and impermeable "plugs" will be installed within underground utility trenches where the utilities cross the property line as well as prior to penetrating the shell of the proposed building. The total estimated cost for remediation is approximately \$5,200,000.
6. Has this site received closure from DNR or another state agency? ☐ Yes ☒ No
- If yes, complete answer the following questions:
- a. When did the site receive closure?
 - b. Which state agency gave the site closure?
 - c. Why does the site need additional cleanup funding?
 - d. Was the site closure conditioned on a structural impediment? ☐ Yes ☐ No
 - If yes, has an additional Site Investigation been completed beneath the impediment? ☐ Yes ☐ No

Section 9: Redevelopment Information

1. What is the proposed use of the property after remediation?
- | | | | |
|---------------------------------------|---|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> agricultural | <input type="checkbox"/> commercial | <input type="checkbox"/> industrial | <input type="checkbox"/> public use |
| <input type="checkbox"/> recreational | <input checked="" type="checkbox"/> residential | <input type="checkbox"/> other: | <input type="checkbox"/> unknown |
2. Briefly describe any proposed redevelopment plan.

The development is roughly 250 apartment units contained in two above-grade structures of four (4) to five (5) stories. The intentional Site design creates connectivity from the 70th Street corridor east to Summit Place. Vehicular access to the development is served from 70th Street between the two (2) residential structures with ramped access to the underground parking via this main access point. An underground parking level contains approximately 290 parking stalls and connects the two structures. At at-grade parking level offers another 104 stalls. The central courtyard creates an

active, thoughtful pedestrian experience that draws people through the Site. The courtyard includes a pool, open green space to recreate, intentional landscape design and outdoor seating and fire pits.

A 2-story story clubhouse is appended to the multifamily structures but separated to allow for pedestrian access through to the east. The clubhouse will house resident amenities described below and incorporate an expansive rooftop terrace. The clubhouse will house leasing staff, include a fully equipped resident kitchen and lounge, state-of-the-art fitness center and spaces for co-working.

The development includes a range of unit styles including studio, one (1) bedroom, two (2) bedroom and three (3) bedrooms which will appeal to a wide range of demographics and price points. The project contains first-floor walk-up units along 70th Street, activating this important connection to the commercial corridor along 70th Street and Greenfield Avenue. The balance of the residential units are contained on floors two (2) through five (5). The finish level will be best-in-market and includes hard surface plank flooring, stainless appliances, designer cabinetry and quartz countertops.

3. What are the estimated total redevelopment costs?

\$72,800,000

4. What is the estimated increase in the property's value?

\$50,000,000

5. What are the start and end dates of the redevelopment?

Redevelopment Start Date: **10/1/2024** Redevelopment End Date: **10/1/2026**

6. Is there a development agreement in place, or conditional upon funding? ☒ Yes ☐ No

- If yes, describe the agreement.

The Development Agreement obligates LXL Allis Yards LLC, an affiliate of Land By Label LLC (the "Developer") to conduct all environmental remediation activities of the site in accordance with WNDR approvals, complete construction of the project in a timely manner and to the design and construction standards that have been approved by the City of West Allis. The Development Agreement also sets forth the terms of the tax increment financing.

7. Briefly describe the community benefits of the redevelopment. Include information on the ability of the community to draw on other sources of funding for environmental remediation and subsequent redevelopment.

The redevelopment converts a vacant, blighted and contaminated site into a Class A residential community providing much needed housing to the City of West Allis. The development activates the 70th Street corridor with first floor units and a highly amenitized courtyard. The project is drawing on several other sources of funding for environmental remediation including tax increment financing and the City of West Allis EPA Revolving Loan fund.

8. Briefly describe how the project will facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property or other property used for nonprofit purposes.

The site is currently vacant, contaminated land. Allis Yards will create thoughtful courtyards, landscaping and pedestrian walkways through the project. While private property, the overall site planning was designed to welcome and encourage the public to walk through the site. The two residential buildings are separated on the first floor to allow the public to walk through the site from the 70th Street commercial corridor to the Summit Place employment center. A public pedestrian pathway south of the residential buildings further encourages connectivity in the neighborhood. Two large stormwater ponds on the east side of the building will manage and treat all stormwater runoff from our site before discharging to the City system.

9. Briefly describe how the project will facilitate the use or reuse of existing infrastructure.

As a ground up development on vacant land, there is no ability to reuse existing buildings or infrastructure on site. However, the project will connect to existing sidewalks, public utilities, road networks surrounding the site.

Section 10: Project Readiness

1. Complete Table B below.

Table B. Total Cleanup Costs at Project/Site

Total Cleanup Cost at Project/Site	\$ 2,567,751
Ready for Reuse Amount Requested	\$ 2,000,000
Remaining Project Costs	\$ 567,751

2. What is your proposed match percentage? (must be at least 22%)
A minimum of 22% or 440,000

3. Fill in Table C Below. Identify the secured sources of revenue to pay for the Remaining Project Costs listed in Table A above. Provide documentation of the secured Sources of Revenue in **Attachment H**.

Table C. Secured Sources of Revenue

Source of Revenue	Amount	Secured?
1. Construction Loan	\$ 47,750,000	We've received a term sheets from two (2) national banks to provide \$47,750,000 of debt. We've received City approval on Tax Incremental Financing. Prior to closing we will fund cash equity for balance of project cost.
2.	\$	
3.	\$	
4.	\$	

4. Has the applicant applied for or formally requested any other financial assistance to offset the environmental cleanup costs?
☒ Yes ☐ No
 • If yes, list the sources and amounts.
City of West Allis EPA Revolving Loan Fund
Tax Increment Financing
5. Are any environmental costs eligible for reimbursement by the Dry Cleaner Environmental Response Fund (DERP) or the Agricultural Chemical Cleanup Program (ACCP) ☐ Yes ☒ No
 • If yes, describe the reimbursement source, the costs and the amounts.

Section 12: Required Attachments

Include the following attachments at the end of your completed application form.

<input checked="" type="checkbox"/>	A. Project Budget (include a justification if including grant or loan costs for demolition and/or asbestos abatement)
<input checked="" type="checkbox"/>	B. Compliance with Federal Requirements
<input checked="" type="checkbox"/>	C. Map (plat map preferred) – Note location of the Brownfield Project Site
<input checked="" type="checkbox"/>	D. Current photographs of site and surrounding area
<input checked="" type="checkbox"/>	E. CERCLA Liability Defense statement and documentation (Phase I and II Environmental Site Assessments or other available documentation)
<input checked="" type="checkbox"/>	F. Copy of an ordinance or resolution authorizing the applicant to enter into a financial assistance agreement with DNR.
<input type="checkbox"/>	G. Proof of applicant eligibility, if applicable.
<input checked="" type="checkbox"/>	H. Proof of secured financing to complete the cleanup project.
<input checked="" type="checkbox"/>	I. Loan documentation, if applicable
<input checked="" type="checkbox"/>	J. Loan repayment schedule, if applicable

Section 13: Self-Certification

- ☒ I certify that information in this application and all its attachments are true and correct and in conformity with applicable Wisconsin Statutes.
- ☒ I certify that to the best of knowledge and belief that neither the entity applying for a Ready for Reuse loan or grant, nor any individual, partnership, company or corporation related to the applicant through common ownership or control:
- (a) has violated any provision of the Federal, state or local environmental laws or regulations relating to the proposed brownfield project site;
 - (b) has caused or contributed to the release of hazardous substances at the proposed brownfield project site, nor arranged for the disposal or treatment of hazardous substances from the site; nor
 - (c) has been suspended, debarred or otherwise declared ineligible to receive federal funds.
- ☒ I certify that the entity applying for a Ready for Reuse loan or grant does not have CERCLA s. 107 liability at the proposed project site.
- ☒ I certify that funds are available to commence and complete the cleanup activities associated with this project, and to finish the project within the loan or grant time period.
- ☒ I agree to comply with all reporting requirements, on forms supplied by the DNR.

Patrick Schloss

City of West Allis Economic Development Executive Director

Print Name of Authorized Representative

Patrick Schloss

7.19.24

Signature of Authorized Representative

Date

Attachment A: Project Budget

Fill in the Project Budget below for your preferred remediation option. All costs should be for the time period starting after signing the financial agreement with DNR.

Activity or Expense	A. Ready for Reuse Loan or Grant Amount	B. Match Amount	C. Match Source
1. Preparation/Finalization of RAP	\$7,664	\$2,156	Equity/Construction Loan
2. Public Participation costs	\$0	\$0	
3. Soil Excavation	\$309,799	\$91,027	Equity/Construction Loan
4. Soil Transportation & Disposal	\$1,404,371	\$396,105	Equity/Construction Loan
5. Soil Treatment	\$0	\$0	
6. Soils Confirmation Testing	\$20,077	\$5,643	Equity/Construction Loan
7. Groundwater Remediation Capital Cost	\$0	\$0	
8. Groundwater Remediation Operation and Maintenance	\$0	\$0	
9. Post-remedial Groundwater Monitoring (Short-Term)	\$0	\$0	
10. Remediation Oversight	\$55,380	\$15,620	Equity/Construction Loan
11. Site Security Monitoring	\$0	\$0	
12. Health & Safety Site Monitoring	\$0	\$0	
13. DNR fees	\$3,003	\$847	Equity/Construction Loan
14. Demolition*	\$0	\$0	
15. Asbestos Abatement*	\$0	\$0	
16. Hazardous Substance Storage Tank Removal and Disposal	\$0	\$0	
17. Other Eligible Costs**: <ul style="list-style-type: none"> a. WNDR Closure Request & GIS Registry Package \$4,979 b. Vapor Barrier System per RADR \$195,000 			Equity/Construction Loan Equity/Construction Loan
18. TOTALS	\$2,000,000	\$567,751	Match \$: _____

*Demolition and associated asbestos abatement costs must be necessary to perform environmental remediation activities, and must be pre-approved by the DNR and EPA.

** Other eligible costs must be pre-approved by the DNR and EPA. Provide a brief description next to Number 17, or on an attached sheet.

Attachment B: Compliance with Federal Requirements

I have read and am familiar with all federal terms and conditions associated with the Ready for Reuse loan and grant program, which are listed below. By signing this statement, I hereby certify that the entity applying for the program, and any individual, partnership, company or corporation related to the applicant through common ownership or control, agrees to comply with all of these conditions during loan or grant work if this application is approved. The conditions include, but are not limited to, the following terms:

1. Lobbying and Litigation
 - Federal funds may not be used to lobby or litigate against the federal government.
 - References: OMB Circular A-21, A-87 or A-122
2. Fair Share in Contracting
 - Small, minority and women's business enterprise goals
 - References: Women's and Minority Business Enterprise, Executive Orders 11625, 12138 and 12432, EPA form 5700-52-A, MBE/WBE Utilization under Federal Grants
3. Public Accommodation
 - Conference and meeting facilities
 - References: Hotel and Motel Fire Safety Act of 1990
4. Small Business in Rural Areas
 - Affirmative steps regarding small businesses in rural areas
 - References: Section 129 of Public Law 100-590
5. Procurement of Recycled Products
 - Preference for purchase of recycled materials
 - References: 40 CFR 246-254
6. National Historic Preservation Act
 - Contact EPA regarding any potential for impacts to historic properties
7. Debarment and Suspension
 - Do not use loan or grant funds for contracts with those debarred or suspended
 - References: Subpart C of 40 CFR Part 32, Executive Order 12549
8. Recycled Paper
 - Use of recycled paper for federal reporting
 - References: EPA Order 1000.25 and Executive Order 13101
9. Worker Protection
 - Davis-Bacon Prevailing wage rates for construction projects
 - References: Davis-Bacon Act of 1931
 - Contract Work Hours and Safety Standards
 - References: 40 USC327-333, OSHA Standard 29, CFR 1910.120
10. Uniform Relocation Act
 - References: Uniform Relocation and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, as amended
11. Reporting
 - Monthly or quarterly reporting, as listed in the final financial agreement with DNR

Patrick Schloss

City of West Allis Economic Development Executive Director

Print Name of Authorized Representative

Patrick Schloss

7.19.24

Signature of Authorized Representative

Date

Attachment I: Loan Documentation

1. Does your municipality agree to issue an obligation authorized under Chapter 67, Wis. Stats., as security for the Ready for Reuse loan?
☒ Yes – Continue to Question 2
☐ No – **Stop.** Contact the DNR to discuss this loan application.
2. Which type of obligation will your municipality use as security for the Ready for Reuse loan?
☒ Promissory Note under s. 67.12(12), Wis. Stats.
☐ A Note Anticipation Note under s.67.12(1)(b)2, Wis. Stats.
☐ Other municipal obligation under ch. 67, Wis. Stats.
3. When will the governing body approve the resolution which will approve the application for a Ready for Reuse loan?
July 10, 2024
4. Other than the Wisconsin constitutional debt limits, are there any other restrictions on borrowing by your municipality?
☒ Yes ☐ No
• If yes, please describe.
The City has cannot bond for more than \$3.75M for road construction projects
5. Is there any litigation pending or threatened which may materially impact the financial condition of the municipality?
☐ Yes ☒ No
• If yes, please provide background information regarding the litigation or factors and the current status.
6. Describe the plan for financing any project costs that are not eligible for Ready for Reuse loan financing, but necessary to ensure success of the project (i.e., asbestos removal, lead paint removal, legal fees, demolition not necessitated by remediation, infrastructure upgrade, etc.).
Developer will secure a construction loan in the amount of \$47,750,000. Developer will raise approximately \$17 million in equity. Tax Increment Financing from the City of West Allis is also a part of the capital stack to be utilized for project costs including environmental remediation.
7. Is anybody in your local governmental unit directly benefiting from the cleanup and/or redevelopment of this site? ☐ Yes ☒ No
• If yes, please provide details.
8. Bond Counsel Information
Please Note: Bond Counsel will assist in the preparation of the municipal obligation required to secure the Ready for Reuse loan.

Firm or Organization Quarles and Brady	Attorney Name Bridgette Keating		
Address 411 East Wisconsin Ave			
City Milwaukee		State WI	ZIP code 53202
Phone 414-277-5790		Fax 414-978-8790	
Email Bridgette.Keating@Quarles.com			

Attachment J: Loan Repayment Schedule

Please Note: Final loan repayment dates and amounts will be negotiated with the DNR upon loan award.

Interest Rate: 0%

Source of Repayment Funds:

Repayment Schedule Table

Payment Date	Principal Payment Amount
2024	\$0
2025	\$0
2026	\$0
2027	\$25,000
2028	\$25,000
2029	\$25,000
2030	\$25,000
2031	\$25,000
2032	\$25,000
2033	\$1,850,000
TOTAL	\$2,000,000