

## Application Title

Tax Incentive Application

### Section I: Applicant Background Information

#### Applicant Information - Company Receiving Benefit

**Total Project Cost** 17152000  
**Applicant Name** Delaware North Companies, Incorporated  
**Applicant Address** 40 Fountain Plaza, Buffalo, NY 14202  
**Phone** 716-858-5208  
**Fax**  
**E-mail** dzimmer@dncinc.com  
**Website** www.delawarenorth.com  
**Fed ID#** .....

#### Individual Completing Application

**Name** Daniel J. Zimmer  
**Title** Vice President  
**Address** 40 Fountain Plaza, Buffalo, NY 14202  
**Phone** 716-858-5208  
**Fax**  
**E-Mail** dzimmer@dncinc.com

#### Company Contact (if different from individual completing application)

**Name**  
**Title**  
**Address**  
**Phone**  
**Fax**  
**E-Mail**

#### Company Counsel

**Name of Attorney** Terrence Gilbride  
**Firm Name** Hodgson Russ LLP  
**Address** 140 Pearl Street, Suite 100, Buffalo NY 14202  
**Phone** 716-856-4000  
**Fax** 716-849-0349

**E-Mail**

TGilbrid@hodgsonruss.com

**Identify the assistance being requested of the Agency**

<b>Exemption from Sales Tax</b>	Yes
<b>Tax Exempt Financing</b>	No
<b>Exemption from Mortgage Tax</b>	No
<b>Exemption from Real Property Tax</b>	No
<b>Assignment/Assumption of existing PILOT benefits</b>	No

**Business Organization**

<b>Type of Business</b>	Corporation
<b>Year Established</b>	1915
<b>State of Organization</b>	New York

**List all stockholders, members, or partners with % of ownership greater than 20%**

**Please include name and % of ownership.**

Jeremy M. Jacobs, Sr. ("Mr. Jacobs") maintains voting control of Delaware North Companies, Incorporated ("DNC" or "Delaware North"). Ownership of the shares of DNC is held in a trust structure to ensure the continuity of DNC ownership by the Jacobs family. The Jeremy M. Jacobs family trust holds approximately 98% of the total voting power of DNC. Mr. Jacobs is sole trustee and has sole voting rights of the voting shares held. The remaining shares are held individually and in trust for the members of Mr. Jacobs' family.

**Business Description**

**Describe in detail company background, products, customers, goods and services**

Delaware North has called Buffalo home since 1915 and today is recognized globally as one of the largest privately held hospitality companies in the world, with more than \$2.6 billion in annual revenue and 55,000 employees operating on four continents. Delaware North is a global leader in hospitality and food service that is grounded in a foundation of family ownership. Under the leadership of Jeremy Jacobs and his three sons, Jerry, Lou and Charlie, we are one of the most admired family-owned hospitality management and food service companies in the world. With more than \$2 billion in annual revenue and 55,000 talented and creative associates, we are one of the largest privately owned companies in the U.S. Delaware North is approaching its 100th anniversary in 2015, which for example includes more than 80 years of continuous service to Major League Baseball teams. The seven operating divisions that make up the Delaware North family of companies are leaders in their respective industries - whether in sports facilities, airports, national parks & attractions, hotels & resorts, gaming or arena ownership - and all share Delaware North's philosophy of "One company. One brand. One vision." Embracing this philosophy, Delaware North is able to deliver consistent world-class service to our clients around the world. In addition, the company pays close attention to the more than 500 million consumers served annually through GuestPath® and marketing/branding efforts that help us ensure that every guest is treated like our only one. Few hospitality management companies and food service management companies can match Delaware North's legacy, reputation and breadth of services offered.

Estimated % of sales within Erie County	2%
Estimated % of sales outside Erie County but within New York State	8%
Estimated % of sales outside New York State	76%
Estimated % of sales outside the U.S.	14%

**What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? (You may be asked to provide supporting documentation of the estimated percentage of local purchases)**

2% (estimate)



## Section II: Project Description & Details

### **Location of proposed project facility**

<b>Address</b>	250 Delaware Avenue
<b>City</b>	Buffalo
<b>State</b>	New York
<b>Zip Code</b>	14202
<b>SBL Number</b>	
<b>Town/City/Village</b>	
<b>School District</b>	
<b>Present Project Site Owner</b>	Uniland Development Company ("Uniland")

### **Please provide a brief narrative of the project**

Delaware North Companies, Inc. ("DNC") and DNC 250, Inc. ("Landlord," which is 100% owned by Uniland) are each responsible for different parts of the Delaware North Building project. DNC, as anchor tenant, is responsible for design, construction and funding of its office space. DNC, in addition, expects to manage the Hotel (a core business for DNC) and has rights to operate the Building's Food and Beverage facilities. Landlord is responsible for design, construction and funding of the Building, Hotel, Retail and Parking components. Landlord is simultaneously submitting an application for financial assistance to ECIDA for its portion of the Project. These two applications are for one integrated project, and neither DNC nor Landlord will proceed independently with this project unless both applications for financial assistance are considered simultaneously for approval by ECIDA. With the impending 2015 lease expiration at its current location in downtown Buffalo, Delaware North initiated an intensive search for space options to accommodate its new World Headquarters. Working with its external advisor, Delaware North conducted a market analysis and needs assessment, and the outcome dictated the need for Delaware North's future World Headquarters to have certain critical components, including the following: 1. Class A, LEED-certified office space with the ability to operate on floor plates no less than 25,000 square feet; 2. Ready availability of expansion space to accommodate future growth; 3. Facilities to educate and train its hotel, food and beverage, and retail associates, including an operating hotel component; 4. Adequate on-site or adjacent parking; 5. State of the art conference facilities and meeting space to host associates, third party business partners and officials from across the U.S. and its international locations, which will be made available for use by such business partners; and 6. Forward thinking office layouts to create a productive work environment based on evolving work norms/behaviors. The unique opportunity that rose to the top is a high profile, highly visible site in Buffalo's central business district at 250 Delaware Avenue, which would bring Delaware North back to its roots on Delaware Avenue. At this prominent location, Delaware North is negotiating to make a 20-plus year commitment to the location of its World Headquarters, where it anticipates retaining 350 jobs, creating 65 new jobs, keeping the next generation of family leadership connected to Buffalo, expanding its footprint, and relocating to an iconic, first-class, state of the art, sustainable office building that will accommodate the company's current and future growth.

### **Site Characteristics**

**Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?**

Yes

**If yes, please explain**

Per the site owner, Uniland, this site is a Brownfields Cleanup site and is currently undergoing remediation by Uniland. NOTE: the following two questions will be marked as 'Yes' - please consult with Uniland as to both these issues. DNC is a tenant and has no ownership interest in the real property at this site. As Delaware North will be a tenant in this proposed building, questions specific to the site are being directed to Uniland.

**Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site? (If yes, please provide copy)**

Yes

If yes, please provide a copy.

**Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?**

Yes

If yes, please provide copies of the study.

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms

NOTE: the following question will be marked as 'Yes' with regards to energy efficiency benefits, further clarified as follows: All office machinery and equipment purchases by DNC for its World Headquarters will take energy efficiency and cost savings into account. As discussed in the narrative sections of this application, energy efficiency and LEED certification are both critical components and key drivers of this project.

**If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?**

&lt;BLANK&gt;

If yes, please attach additional documentation describing the efficiencies achieved.

**Does or will company perform substantial research and development activities on new products/services at the project location?**

Yes

If yes, please explain

Delaware North's World Headquarters serves as the central location for strategic and operational growth initiatives, including research and development into creative, new and innovative approaches to its businesses. These include the development of business process improvements and best practices, the evaluation, testing and rollout of new technology platforms used throughout our operating environments, in-depth financial analytics on current and potential future business operations, as well as the strategic decision support processes for new product offerings and supply management arrangements.

**What percentage of annual operating expenses are attributed to the above referenced research and development activities?**

Estimated at 5%.

**Explain why IDA participation is necessary for this project to proceed. Focus on competitiveness issues, project shortfalls, etc.**

Because Delaware North's current facilities at Key Center do not meet the critical components for its long term growth plans, the expiration of its lease creates an opportunity for Delaware North to move into a state of the art office complex to showcase its global sophistication to its national and international vendors and business partners. In addition, the Jacobs family and senior management believe that its new office complex should be designed to enable it to recruit global talent for new jobs being created, facilitate technology research and development, and promote green initiatives and, most importantly, skills training for its associates, wherever located. In the U.S., Delaware North generates similar revenue levels from states like California when compared to New York State. Because it is a World Headquarters, Delaware North's people travel extensively and could benefit from being based in a hub city. Other metropolitan areas like Boston have a younger demographic pool of talent to draw from that could help Delaware North support its planned growth. For example, the young adult demographic in Boston, age 20-34, comprises about one-third of the population, whereas in Buffalo that same group is only 20%, and the overall size of the Buffalo market is much smaller than Boston. This one variance by itself creates a fascinating market dynamic that would be attractive to a growing company like Delaware North - these could be future employees, future customers. Delaware North's potential deal with Uniland for the lease of space at 250 Delaware is specifically conditioned on receipt of a satisfactory package of incentives - if there is not a satisfactory package of incentives, Delaware North has the right to terminate its lease. But for the receipt of a satisfactory incentive package, Delaware North would look at all options available to it. These could include opportunities to establish other corporate offices (potentially housing major subsidiary/corporate support functions) closer to areas that offer larger pools of younger workers, that offer better worldwide transportation accessibility, or that help set the stage for its continued growth for the next 20-plus years. For global companies in Delaware North's situation, other viable alternatives exist. Receipt of available incentives is a critical factor that would enable Delaware North to keep its existing World Headquarters operations intact, and its incremental corporate growth in Buffalo for a long time to come.

**Project Information****Estimated costs in connection with project****Land and/or Building Acquisition** \$ 0

0.00 acres 0.00 square feet

**New Building Construction** \$ 8948000

109345.00 square feet

**New Building addition(s)** \$ 0

0.00 square feet

**Renovation** \$ 0

0.00 square feet

**Manufacturing Equipment** \$ 0**Non-Manufacturing Equipment: (furniture, fixtures, etc.)** \$ 4758000**Soft Costs: (professional services, etc.)** \$ 1259000**Other Cost** \$ 2187000**Explain Other Costs** Moving; cost escalation; contingency**Total Cost** 17152000**Project Refinancing (est. amount)** 0



**Select Project Type (check all that apply)**

No <b>Industrial</b>	No <b>Multi-Tenant</b>	Yes <b>Mixed Use</b>
No <b>Acquisition of Existing Facility</b>	Yes <b>Commercial</b>	No <b>Facility for the Aging</b>
No <b>Housing</b>	No <b>Back Office</b>	No <b>Civic Facility (not for profit)</b>
No <b>Equipment Purchase</b>	No <b>Retail</b>	Yes <b>Other</b>
		<b>World Headquarters</b>

SIC Code 5812

NAICS Code 551114

**For proposed facility please include # of sq ft for each of the uses outlined below**

		<b>Cost</b>	<b>% of Total Cost</b>
<b>Manufacturing/Processing</b>	0 square feet	0	0
<b>Warehouse</b>	0 square feet	0	0
<b>Research &amp; Development</b>	0 square feet	0	0
<b>Commercial</b>	0 square feet	0	0
<b>Retail</b>	0 square feet	0	0
<b>Office</b>	109345 square feet	17152000	100
<b>Specify Other</b>	0 square feet	0	0

**Utilities and services presently serving site. Provide name of utility provider**

Gas

Electric      Size

Water      Size

Sewer      Size

Other (Specify)

**If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?**

Yes

**If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)**

Silver

**What is your project timetable (Provide dates)****Start date : acquisition of equipment**

2013-12-01

**End date : Estimated completion of project**

2015-08-01

**Project occupancy : estimated starting date of operations**

2015-09-01

**Have site plans been submitted to the appropriate planning department for approval?**

Yes

**Have any expenditures already been made by the company?**

No

**If yes, indicate particulars (ECIDA benefits do not apply to expenses incurred prior to Board approval)**

NOTE: the previous question asked whether site plans have been submitted. The question was answered as 'Yes' on the basis that DNC believes Uniland has previously submitted site plans for the building to the relevant department(s). DNC has not yet engaged an architect to design its office space.

**Is project necessary to expand project employment?**

Yes

**Is project necessary to retain existing employment?**

Yes

**Employment Plan (Specific to location):**

	Current # of jobs at project location or to be relocated at project location	If project is to retain jobs, number of jobs to be retained	Total # of jobs 2 years after project completion
Full time	350	350	415
Part time	0	0	0
Total	350	350	415

**Employment at other locations in Erie County: (provide address and number of employees at each location):**

Address	Vito's Gourmet Deli Market, 40 Fountain Plaza, Buffalo, NY 14202	(Two Locations Combined:) 5600 McKinley Parkway, Hamburg, NY 14075 and 4200 Genesee Street, Cheektowaga, NY 14225	(Two Locations Combined:) 1 Seymour H. Knox III Plaza, Buffalo, NY 14203 and 1 Bills Drive, Orchard Park, NY 14127
Full time			

	8	297	33
<b>Part time</b>	2	238	1406
<b>Total</b>	10	535	1439

**Payroll Information****Annual payroll**

36944512

**Estimated average annual salary of jobs to be retained**

97637

**Average estimated annual salary of jobs to be created**

70000

**Estimated salary range of jobs to be created****From** 39970 **To** 227270

**Is the project reasonably necessary to prevent the project occupant from moving out of New York State?**

Yes

**If yes, please explain and identify out-of-state locations investigated**

There are compelling business reasons why Delaware North should be headquartered in other strategically important areas such as Massachusetts, Florida or California, where Delaware North has significant business operations. However, this successful family-owned corporation recognizes its importance to the Western New York region, and is willing to make a long-term commitment to maintain and grow its World Headquarters in Buffalo, thereby continuing its longstanding, significant positive economic impact in the community. The company, along with its development partner, Uniland Development Company, will be requesting financial assistance from applicable state and local programs to help create a world-class facility in Buffalo. The assistance to be requested would include sales tax abatement on building materials, equipment and leasehold improvements, grant monies that might be available to help fund workforce training, technology, and productivity enhancements. It is Delaware North's hope that such assistance towards this World Headquarters project would be at least similar to the assistance programs other large companies have qualified for in recent months, as well as a related PILOT Incremental Financing (PIF) program. Delaware North's proposed commitment to this project remains subject to the satisfactory outcome of these requests. Without a favorable outcome, Delaware North would use the remaining two years under its existing lease to weigh all options.

**Were you offered financial assistance to locate outside of New York State?**

No

**If yes, from whom and what type of assistance was offered****What competitive factors led you to inquire about sites outside of New York State?**

Delaware North generates significant revenues in states other than New York State. See earlier comments regarding workforce demographics.

**Have you contacted or been contacted by other economic or governmental agencies regarding this project?**

Yes

**If yes, please indicate the Agency and nature of inquiry below**

Delaware North has been in contact with Empire State Development Corp. to discuss the project and seek any available incentives that could assist Delaware North in connection with retaining current jobs, creating new jobs, and creating a true state-of-the-art World Headquarters building in downtown Buffalo.

### Section III: Adaptive Reuse Projects

**Are you applying for a tax incentive under the Adaptive Reuse Program?**

No

**What is the age of the structure (in years)?**

0.00

**If yes, number of years vacant?**

0

**Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)**

<BLANK>

**Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)**

<BLANK>

**Does the site have historical significance?**

<BLANK>

**Briefly summarize the financial obstacles to development that this project faces without ECIDA or other public assistance. Please provide the ECIDA with documentation to support the financial obstacles to development (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rates compared to regional industrial averages)**

**Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the ECIDA with documentation of this support in the form of signed letters from these entities**

**Please indicate other factors that you would like the ECIDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site or structure is presently delinquent in property tax payments**

## Section IV: Retail Determination

**Will project involve the sales of goods or services to customers who personally visit the facility?**

No

If yes, complete the Retail Questionnaire Supplement below.

**Will any portion of the project consist of facilities or property that is primarily used in making sales of goods or services to customers who personally visit the project site?**

No

If the answer is yes, please continue.

**What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?**

0.00

%

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

**Will the project be operated by a not-for-profit corporation?**

No

**Is the project likely to attract a significant number of visitors from outside the economic development region in which the project will be located?**

Yes

If yes, please provide a market analysis or other documentation supporting your response.

**Would the project occupant, but for the contemplated financial assistance from the industrial development agency, locate the related jobs outside the State of New York?**

Yes

If yes, please provide documentation regarding investigation of sites outside New York State.



**Is the predominant purpose of the project to make available goods or services which would not otherwise be reasonably accessible to the residents of the project municipality?**

No

If yes, please provide a market analysis supporting your response.

**Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York?**

Yes

**Is the project located in a Neighborhood Redevelopment Area?**

No

## Section V: Inter-Municipal Move Determination

### **Does this project involve relocation or consolidation of a project occupant from another municipality or abandonment of an existing facility?**

**Within New York State** No

**Within Erie County** No

If EITHER IS YES, please complete the following. If BOTH ARE NO, please 'save and continue' to the next section (Section VI: Facility Type - Single or Multi Tenant).

The Agency is required by state law to make a determination that Agency assistance is required to prevent the project occupant from relocating out of the state, or to preserve the project occupant's competitive position in its respective industry.

### **Will the project result in a relocation of an existing business operation from the City of Buffalo?**

No

**If yes, please explain the factors which require the project occupant to relocate (For example, present site is not large enough, or owner will not renew leases etc.)**

This project does not involve any relocation between municipalities, either within New York State or within Erie County. DNC is proposing to relocate from 40 Fountain Plaza in Buffalo to 250 Delaware Avenue in Buffalo upon expiration of its lease at 40 Fountain Plaza. For logistical and practical purposes, Delaware North may or may not need to move into 250 Delaware in stages before the existing lease at 40 Fountain Plaza expires.

### **What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc...)**

Based on the needs analysis, Delaware North's future World Headquarters needs to have certain critical components, including the following: 1. Class A, Leed-certified office space with the ability to operate on floor plates no less than 25,000 square feet; 2. Ready availability of expansion space to accommodate future growth; 3. Facilities to educate and train its hotel, food and beverage, and retail associates, including an operating hotel component; 4. Adequate on-site or adjacent parking; 5. State of the art conference facilities and meeting space to host associates, third party business partners and officials from across the U.S. and its international locations, which will be made available for use by such business partners; and 6. Forward thinking office layouts to create a productive work environment based on evolving work norms/behaviors.

### **If the project occupant is currently located in Erie County and will be moving to a different municipality, has the project occupant attempted to find a suitable location within the municipality?**

<BLANK>

### **Is the project reasonably necessary to preserve the project occupant's competitive position in its industry?**

Yes

**If yes, please explain and provide supporting documentation**

Delaware North operates in numerous industry sectors in direct competition with other high profile worldwide corporations. The opportunity to improve the facilities at its World Headquarters, transform the facility into an iconic representation of its global brands, add more robust training and communications capabilities, and bring more clients, customers and employees into Buffalo will help preserve and improve Delaware North's competitive position in its industries.

**What factors have lead the project occupant to consider remaining or locating in Erie County?**

Delaware North is a family-owned business that has its roots in Buffalo. While it is likely that there will always be some level of corporate presence in Buffalo, the real opportunity is to use this project as a way to keep the significant and wide-ranging business headquarters operations (and the expected future growth of Delaware North's subsidiary business operations) in Buffalo for decades to come.

**What is going to happen to the current facility that project occupant is located in?**

The building's owner will re-lease the space to other tenants, and has previously advised Delaware North of this in writing.

**Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.**

Over the past 24 months, DNC undertook a comprehensive examination of all major office facilities and build-to-suit sites that may have potentially met DNC's needs. Potential locations were ranked against DNC's space requirements/needs and subsequently shortlisted. As a result of that comprehensive process, DNC entered into negotiations with Uniland with respect to 250 Delaware Avenue.

**Section VI: Facility Type - Single or Multi Tenant****Is this a Single Use Facility or a Multi-Tenant Facility?**

Multi-Tenant Facility

**For Single Use Facility****Occupant Name****Address****Contact Person****Phone****Fax****E-Mail****Federal ID #****SIC/NAICS Code****Multi-Tenant Facility****Please explain what market conditions support the construction of this multi-tenant facility**

Reference is made to the project developer, Uniland, for this question. Delaware North would be serving as the anchor tenant in this facility.

**Have any tenant leases been entered into for this project?**

&lt;BLANK&gt;

**If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business**

## Section VII: Environmental Questionnaire

### **General Background Information**

#### **Address of Premises**

250 Delaware Avenue, Buffalo, NY 14202

### **Name and Address of Owner of Premises**

All questions in this section should be directed to Uniland Development Company, the owner of the property.

### **Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)**

### **Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises**

### **Describe all known former uses of the Premises**

### **Does any person, firm or corporation other than the owner occupy the Premises or any part of it?**

<BLANK>

If yes, please identify them and describe their use of the property

### **Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises?**

<BLANK>

If yes, describe and attach any incident reports and the results of any investigations

**Has the Premises or any part of it ever been the subject of any enforcement action by any federal, state or local government entity, or does the preparer of this questionnaire have knowledge of: a) any current federal, state or local enforcement actions; b) any areas of non-compliance with any federal, state or local laws, ordinances, rules or regulations associated with operations over the past 12 months?**

<BLANK>

**If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances**

**Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises?**

<BLANK>

**If yes, describe in full detail**

#### **Solid And Hazardous Wastes And Hazardous Substances**

**Does any activity conducted or contemplated to be conducted at the premises generate, treat or dispose of any petroleum, petroleum-related products, solid and hazardous wastes or hazardous substances?**

<BLANK>

**If yes, provide the Premises' applicable EPA (or State) identification number**

**Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes?**

<BLANK>

**If yes, please provide copies of the permits.**

**Identify the transporter of any hazardous and/or solid wastes to or from the Premises**

**Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years**

**Does or is it contemplated that there will occur at the Premises any accumulation or storage of any hazardous wastes on-site for disposal for longer than 90 days?**

<BLANK>

**If yes, please identify the substance, the quantity and describe how it is stored**

**Discharge Into Waterbodies**

**Briefly describe any current or contemplated industrial process discharges (including the approximate volume, source, type and number of discharge points). Please provide copies of all permits for such discharges**

**Identify all sources of discharges of water, including discharges of waste water, process water, contact or noncontact cooling water, and stormwater. Attach all permits relating to the same. Also identify any septic tanks on site**

**Is any waste discharged into or near surface water or groundwaters?**

<BLANK>

**If yes, please describe in detail the discharge including not only the receiving water's classification, but a description of the type and quantity of the waste**

**Air Pollution**

**Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?**

<BLANK>

**If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source**

**Are any of the air emission sources permitted?**

<BLANK>

**If yes, attach a copy of each permit.**



**Storage Tanks**

**List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks**

**Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?**

<BLANK>

**If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved**

**Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos**

**Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.**

**Have there been any PCB spills, discharges or other accidents at the Premises?**

<BLANK>

**If yes, relate all the circumstances**

**Do the Premises have any asbestos containing materials?**

<BLANK>

**If yes, please identify the materials**