



New Luthuli HQ

Section I: Applicant Background Information

Applicant Information - Company Receiving Benefit

Applicant Name	Nidus Development
Applicant Address	8899 Main Street
Phone	(716) 580-7208
Fax	
E-mail	info@nidusdev.com
Website	www.nidusdev.com
Federal ID#	30-0782203
NAICS Code	
Will a Real Estate Holding Company be utilized to own the Project property/facility	Yes
What is the name of the Real Estate Holding Company	2150 Wehrle Drive, LLC
Federal ID#	47-5192519
State and Year of Incorporation/Organization	New York, 2015
List of stockholders, members, or partners of Real Estate Holding Company	Dr. Gregory F. Daniel, M.D. 100%

Individual Completing Application

Name	Chris Jerzewski
Title	COO
Address	8899 Main St., Suite 7
Phone	(716) 225-3436
Fax	
E-Mail	cjerzewski@luthuligroup.com

Company Contact (if different from individual completing application)

Name
Title
Address
Phone
Fax
E-Mail

Company Counsel

Name of Attorney Andrea Tarshus, Esq.
Firm Name Nidus Development
Address 8899 Main St., Suite 7
Phone (607) 742-6225
Fax
E-Mail atarshus@luthuligroup.com

Identify the assistance being requested of the Agency

Exemption from Sales Tax Yes
Exemption from Mortgage Tax Yes
Exemption from Real Property Tax Yes
Tax Exempt Financing* No

* (typically for not-for-profits & small qualified manufacturers)

Business Organization

Type of Business Limited Liability Company
Type of Ownership MBE
Year Established 2015
State of Organization New York

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

Please include name and % of ownership.

Dr. Gregory F. Daniel, M.D., 100%

Applicant Business Description

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility

Real estate development and business management in various states, including Georgia, Nevada, Texas, New York and Maryland; tenants are healthcare, retail, or other commercial businesses.

Estimated % of sales within Erie County	10
Estimated % of sales outside Erie County but within New York State	10
Estimated % of sales outside New York State but within the U.S.	80
Estimated % of sales outside the U.S.	0

(*Percentage to equal 100%)

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation of the estimated percentage of local purchases

The majority of 2150 Wehrle LLC's purchases of supplies, building materials, and vendor services from firms in Erie County. Currently, through our affiliates, we source from the following: Office Supplies: Eaton Office Supplies, Buffalo Office Supplies: Office Depot, Transit Road, Williamsville Information Technology: MVP IT, Buffalo HVAC: DWC Mechanical, Amherst Fire/Burglar Alarm: Amherst Alarm Plumbing: Quality First, Cheektowaga Signs: Wilcro, Inc. Williamsville Landscaping/Snowplowing: Empire Landscaping, Amherst Construction: Casilio, Amherst Construction: Kulback's, Lancaster Architecture: Silvestri, Amherst Roofing: Murray Roofing, Cheektowaga Paving: Autumn Paving, Amherst Pest Control: Buffalo Exterminating Locksmith: Suburban Lock and Key, Amherst Electrical Engineering: IBC Engineering, Buffalo Electrical Engineering: Ferguson Electric, Buffalo Waste Disposal: Modern Disposal, Modern City Copier: WNY Imaging, Buffalo

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Municipality or Municipalities of current operations

Clarence, NY,

Will the Proposed Project be located within the Municipality, or within a Municipality, identified above?

No

In which Municipality will the proposed project be located

Amherst, NY

Address

2150 Wehrle Drive, Suite 500

If the Proposed Project is located in a different Municipality than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?

Yes

(If Yes, you will need to complete Section V of this Application

SBL Number for Property upon which proposed Project will be located

81.02-1-16

What are the current real estate taxes on the proposed Project Site

\$40,648.12

Assessed value of land

293,900

Assessed value of building(s)

1,036,100

Are Real Property Taxes current?

Yes

If no please explain

Town/City/Village of Project Site

Amherst, NY

School District of Project Site

Williamsville CSD

Does the Applicant or any related entity currently hold fee title to the Project site?

No

If No, indicate name of present owner of the Project Site

Wehrle-Spindrift Associates LLC (Ciminelli Development)

Does Applicant or related entity have an option/contract to purchase the Project site?

Yes

Describe the present use of the Proposed Project site

Office building for back office operations for Nidus Development.

Please provide narrative of project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)

Proposed building will be the headquarters and back office (Legal, Accounting, HR, Senior Management) for numerous enterprises owned or run by Dr. Daniel. Interior space will be redesigned to accommodate various company professionals who are working in different locations as well as new hires. The project will include the construction of a data center to centralize the IT functions that are currently either outsourced or in different locations. Nidus Development will lease approximately 7300 of the building's 18,125 rentable square feet. The building has two other lessees, Visiting Nurses Association (VNA, approx 5950sf) and Supportive Medical Partners (who sublets their space to Premier Mortgage, approx 4930sf). VNA performs administrative functions in its space and Premiere's area is used mostly for back office functions, although there are visitors such as agents and other real estate professionals, as well as some mortgagees. Nidus Development plans to spend about \$300,000 to build out just our tenant space, of which about \$150,000 is material costs. In addition, this site will function as our company headquarters so we will be required to put in a data center which we anticipate the equipment costing \$200,000 and another \$100,000 in furniture and fixtures.

Describe the reasons why the Agency's Financial Assistance is necessary and how the Financial Assistance enables the company to undertake the Project to facilitate investment, job creation and/or job retention. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

Our current offices offer no room for expansion. When we embarked on finding new office space, we budgeted \$20 per square foot (pSF) for 4000 SF, hopefully in a space that would allow for future expansion. Excluding improvements, and office/IT equipment, the office rental budget was \$80,000 per year (excluding operating expenses estimated at \$4.00pSF or so). We did not find a space that met our requirements in this respect. What we did find was 2150 Wehrle Drive, which otherwise met our requirements, but was for sale at \$2,075,000. The required downpayment of \$600,000 is much more than than what we had budgeted for office space for a relocation within the Erie County area. By contrast, acceptable office space in the Atlanta Metro for \$15 pSF is widely available, with much lower taxes and operating expenses. Georgia also has a statewide job tax credit program which, depending on location, can provide as much \$4,000 per job per year for five years, along with an investment tax credit that ranges up to 8% of new investment dollars. While purchasing office space in Erie County is an investment in the market, the unexpected large initial outlay has a negative near-term effect on our future staffing plans, even though we will retain our current team by not moving out-of-area. Depending on the amount, relief from the Agency will certainly facilitate the retention of our staff in Erie County and our planned hiring of additional staff. No relief and a huge increase in operating cost will force us to look harder at a move to Maryland, where, with a local investment group, we have secured promises of personal property tax and real estate tax relief, or to Georgia, because our affiliate company already has a significant investment in a commercially-zoned 30 acre site in Atlanta. Additionally, the contract to purchase 2150 Wehrle Drive has a contingency written within it that allows Nidus Development to end the contract if IDA benefits are not received.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Will the Project meet zoning/land use requirements at the proposed location?

Yes

Describe the present zoning/land use

Site is zoned "OB" for office building and is and will continue to be operated as an office building. Zoning OB also prohibits retail sales.

Describe required zoning/land use, if different

No change.

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements

N/A

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

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?

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?

No

If yes, please provide copies of the study.

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

The only new equipment purchased will be office equipment which has standard energy efficiency benefits. (Copier, Computers/Servers for IT data center, PC's, Phones)

You may also attach additional information about the machinery and equipment at the end of the application.

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

No

If yes, please explain.

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

N/A

Select Project Type for all end users at project site (you may check more than one)

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Determination contained in Section IV of the Application.

Please check any and all end uses as identified below.

Retail Sales No **Services** No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4) (i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

No Manufacturing	Yes Multi-Tenant	No Mixed Use
Yes Acquisition of Existing Facility	Yes Commercial	No Facility for the Aging
No Housing	Yes Back Office	No Civic Facility (not for profit)
No Equipment Purchase	No Retail	No Other

Project Information

Estimated costs in connection with project

Land and/or Building Acquisition

\$ 2,075,000 18,125 square feet 2 acres

New Building Construction

\$ 0 square feet

New Building addition(s)

\$ 0 square feet

Infrastructure Work

\$ 0

Renovation

\$ 300,000 7,292 square feet

Manufacturing Equipment

\$ 0

Non-Manufacturing Equipment: (furniture, fixtures, etc.)

\$ 300,000

Soft Costs: (professional services, etc.)

\$ 25,000

Other Cost

\$ 0

Explain Other Costs

#7 - Non Manufacturing Cost is broken down into: FF equal to \$100,000 and \$200,000 for data center IT equipment as our headquarters will be our datacenter for all our company ventures across the US.

Total Cost

\$ 2,700,000

Project Refinancing; estimated amount (for refinancing of existing debt only)

\$ 0

Sources of Funds for Project Costs:

Estimated Mortgage Amount (Sum total of all financing – construction and bridge)

\$ 1,800,000

Lender Name, if Known

M&T Bank

Equity

600,000

Have any of the above costs been paid or incurred as of the date of this Application?

Yes

If Yes, describe particulars:

Preliminary architecture design layout: not billed yet

Construction Cost Breakdown:

Total Cost of Construction

\$ 600,000

(sum of 2,3,4,5, and/or 7 in Question K, above)

Cost for materials

\$ 150,000

% sourced in Erie County

100%

% sourced in State

100% (including Erie County)

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit

\$ 600,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):

\$ 52,500

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

		Cost	% of Total Cost
Manufacturing/Processing	square feet	\$ 0	0
Warehouse	square feet	\$ 0	0
Research & Development	square feet	\$ 0	0
Commercial	square feet	\$ 0	0
Retail	square feet	\$ 0	0
Office	18,125 square feet	\$ 2,700,000	100
Specify Other	square feet	\$ 0	0

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

No

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

<BLANK>

Provide estimate of additional construction cost as a result of LEED certification you are seeking

Will project result in significant utility infrastructure cost or uses

No

What is your project timetable (Provide dates)

Start date : acquisition of equipment or construction of facilities

12/1/2015

End date : Estimated completion date of project

3/29/2016

Project occupancy : estimated starting date of operations

4/1/2016

Have construction contracts been signed?

No

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

No

Has the Project received site plan approval from the appropriate planning department?

No

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed 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	Net total new jobs
Full time	6	4	16	10
Part time	0	0	4	4
Total	6	4	20	

If you estimated new job growth over the next 2 years, please provide a short description of how those estimates were calculated (i.e. jobs per square foot, new contracts/increased revenues, etc.)

A number of projects are already underway that will require additional staff. Nidus Development, an affiliate of 2150 Wehrle LLC, is developing a 30-acre mixed use project in the Atlanta Metro with an urgent care facility, ambulatory surgical center, 80,000 sf of retail, condos, hotels and restaurants. In order to process the work associated with multiple buildings under construction, additional staff will be needed. In addition, affiliated companies are involved with a joint venture which, if it wins a state license in Maryland, will undertake the redevelopment of a 190,000 square foot former Black and Decker plant (with 10,000 SF of office space) and other projects in the state--if successful the Maryland project could generate up to 20 or more jobs at HQ in New York State. But existing projects under our control are enough to exceed the employment projections stated above.

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

Address			
Full time	0	0	0
Part time	0	0	0
Total	0	0	0

Will any of the facilities described above be closed or subject to reduced activity?

No

Payroll Information

Annual Payroll at Proposed Project Site

\$ 572,000

Estimated average annual salary of jobs to be retained

\$ 81,700

Estimated average annual salary of jobs to be created

\$ 60,000

Estimated salary range of jobs to be created

From \$ 30,000 **To** \$ 200,000

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

Our investment group is building a new mixed-use development on a 30-acre site in the southeast Atlanta metro, near Hartsfield-Jackson International Airport. This site will include medical uses such as an urgent care facility and an ambulatory surgical center, but is also planned for 60,000 square feet of office space and 80,000 square feet of retail. We are breaking ground on this development in 2015. We have so far received assistance from Henry County, Georgia, in the form of redesigned/expanded roads that run through our site, new sewage infrastructure, and tax credits for new jobs in the development; we can apply for relocation assistance should we choose to move our headquarters from Buffalo to Atlanta. Another major project we are considering is in Maryland, where the Town of Easton has proposed considerable help in the form of low utility costs and relief from personal property and real estate taxes.

What competitive factors led you to inquire about sites outside of New York State?

We have developed projects in New York and in other states, such as Nevada, Texas, and Georgia. We are also planning a major development in Maryland with a local investment group. Because we build commercial buildings in those areas, we understand relative costs. All of those environments are lower tax environments than New York. The cost of office space and housing is also significantly less expensive, especially in Georgia. In addition, Henry County, Georgia, has provided significant relief and incentives for our project there. We are currently planning a major project in Maryland where the Easton Economic Development Corp. and Easton Utilities has promised significant relief in tax and utility costs if we locate it there (the Town of Easton owns its gas, electric, water, and IT services).

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?

Yes

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

Henry County (Georgia) Economic Development--job tax credits and property tax relief Henry County Georgia) rebuilt adjacent roads and area sewer infrastructure (2015) Town of Easton (Maryland) property tax abatement and personal property tax exemption Easton (Maryland) Economic Development Corp.--low cost facility lease (\$4.00 pSF) Easton (Maryland) Utilities--low cost electric (\$0.05 per kWh), gas, water, wi-fi

Do you anticipate applying for any other assistance for this project?

Yes

If yes, what type of assistance (Historic Tax Credits, 485(a), Grants, Utility Loans, Energy Assistance, Workforce Training)

Energy assistance, workforce training.

Section III: Adaptive Reuse Projects

Are you applying for tax incentives under the Adaptive Reuse Program? No

What is the age of the structure (in years)? 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) No

If yes, number of years vacant? 0

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) No

If yes, please provide dollar amount of income being generated, if any \$

Does the site have historical significance? No

Are you applying for either State/Federal Historical Tax Credit Programs? No

If yes, provide estimated value of tax credits \$

Briefly summarize the financial obstacles to development that this project faces without Amherst IDA or other public assistance. Please provide the Amherst IDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)

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

NA

Please indicate other factors that you would like 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 has historical significance, site or structure is presently delinquent in property tax payments

n/a

Section IV: Retail Determination

Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

No

If yes, complete the Retail Questionnaire Supplement below.

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 %

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).

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

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

<BLANK>

Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located?

<BLANK>

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

Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services?

<BLANK>

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?

<BLANK>

If yes, explain

Is the project located in a Highly Distressed Area?

<BLANK>

Section V: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

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

Within New York State Yes

Within Erie County Yes

If Yes to either question, please, explain Offices will move from 8899 Main Street, Clarence to 2150 Wehrle Drive, Amherst

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 out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

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.)

Modern building systems capable of supporting the IT infrastructure for our companies data center.

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

Yes

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

Almost all of the staff are native or long-term western New Yorkers with extensive ties of family and friends. Relocating to Maryland or Georgia would reap significant savings, but would entail significant losses of human capital as some professionals would stay.

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

Currently, 8899 Main Street is fully occupied. After our relocation there is every expectation that the space will be re-rented.

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.

425 Essjay Road, Williamsville, NY 14221 More space than needed 60 Bryant Woods, Amherst, NY 14228 Priced over market 5020 Transit Road, Cheektowaga, NY New construction, not ready until late 2016 3070 Niagara Falls Blvd, Wheatfield Additionally, We have also taken a close look within the Clarence market at existing real estate options through a brokerage and found nothing suitable. We need a stand alone professional building of at least 10,0000 sq. ft. to support our growing company headquarters requirements. Everything we looked at wasn't large enough or the building wasn't a professional type office building suitable for our company.

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

Building is already existing and leased for over five years by other tenants occupying approximately 60% of the rentable square feet.

Have any tenant leases been entered into for this project?

No

If yes, please fill out a tenant form in section VII, for each tenant.

Tenant Name	Current Address (city, state, zip)	# of sq ft and % of total to be occupied at new project site	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
-------------	------------------------------------	--	--

Section VII: Environmental Questionnaire

General Background Information

Address of Premises

**Name and Address of Owner
of Premises**

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