

## **68305 Loan Agreement**

The Department and the applicant shall enter into a loan agreement after approval of the loan. Each loan agreement shall include at a minimum the following terms and conditions:

**(a)**

The interest rate of the loan as specified in Section 68307.

**(b)**

The term of repayment for a loan as specified in Section 68308.

**(c)**

The legal description of the property(ies) where the groundwater remediation project is to occur.

**(d)**

Agreement that the applicant shall complete all activities outlined in the applicant's Statement of Work, as determined to be appropriate by the Department.

**(e)**

Time frames for complying with the conditions of loan closing: (1) Any special conditions that must be satisfied prior to closing, and (2) Any covenants that must be complied with after the disbursement of funds.

**(1)**

Any special conditions that must be satisfied prior to closing, and

**(2)**

Any covenants that must be complied with after the disbursement of funds.

**(f)**

Identification of what is considered an event of default, including the provisions in subsections (1) and (2) below. A default will result in any remaining unpaid amount of the loan, with accrued interest, to be immediately due and payable, upon determination by the Department that: (1) The applicant has failed to comply with the loan agreement. (2) Any information provided by the applicant is untrue.

**(1)**

The applicant has failed to comply with the loan agreement.

**(2)**

Any information provided by the applicant is untrue.

**(g)**

A provision that the applicant agrees to waive any claims against, and hold harmless, the State of California, including the Department and the State Water Resources Control Board, from and against any and all claims, costs, and expenses stemming from operation, maintenance, or environmental degradation at the site.

**(h)**

Proof of insurance for the applicant, naming the Department and the State Water Resources Control Board as loss payee, up to the amount of the loan.