

Brownfield Redevelopment Report

Developers of brownfield sites are required to file an annual report with the Tax Department. The report must include the amounts of state and local taxes generated by the activities of the businesses and employees operating on the brownfield site. If the actual amounts are unavailable, a developer may provide estimates. The department is implementing the reporting requirement using Form DTF-70 for periods beginning December 1, 2008.

A developer must compile the required information from any lessees and other developers and combine the information with its own to produce one report for the qualified site. In cases where there are multiple developers on the same site, the report must be completed by only one of the developers, but it must contain information for all activity on the site by all developers and lessees.

Developers are generally defined as taxpayers who have executed a Brownfield Cleanup Agreement (BCA) with the Department of Environmental Conservation (DEC) and have been issued or are expected to be issued a Certificate of Completion (COC), or taxpayers that have purchased or acquired a qualified site for which a COC has been issued from an unrelated party.

The report is first due within one year after the execution of the BCA and for 11 years thereafter. The annual reporting period covers all activity occurring on the site from December 1 through November 30 of the following year. The report is due by December 31 of each year. If a developer would like to request an alternate reporting period, the request should be submitted to the address below.

| | |
|--------------------------------------|------------------------------------|
| Starting date of report (mm-dd-yyyy) | Ending date of report (mm-dd-yyyy) |
| 12-01-2009 | 11-30-2010 |

Part 1 – Site identifying information

| | | |
|--|---|---|
| Name of developer completing report NIAGARA TRANSFORMER CORPORATION | | |
| Names of all other developers (attach additional sheets if necessary) | | |
| Division of Environmental Remediation site number C915234 | Site name NIAGARA TRANSFORMER CORPORATION - EAST LOT 9 | DEC region 9 |
| Site location – include street address, municipality, and county 1755 DALE ROAD ERIE COUNTY CHEEKTOWAGA, NY 14225 | | |
| Date BCA executed (mm-dd-yyyy) 11-19-2009 | Date COC issued (mm-dd-yyyy) not yet issued | Date COC sold or transferred (if applicable) (mm-dd-yyyy) |

- A. Mark an X in the box if the site is located in an EN-Zone
- If Yes, enter the percent of the qualified site located within an EN-Zone %
- B. Mark an X in the box if the site is located in a Brownfield Opportunity Area
- C. Will the site be used/is the site used primarily for manufacturing activities? Yes No
- D. Has the use of the property changed since the last report? (If Yes, list new use below) Yes No

Send your report or request to: NYS TAX DEPARTMENT
OTPA – BROWNFIELD REPORTING UNIT
W A HARRIMAN CAMPUS
ALBANY NY 12227

6701091015



Has any new development occurred on the property since the last report? (If Yes, describe below) Yes No

INITIAL REPORT - WORK TO DATE INCLUDES SITE CLEAN UP AND DESIGN WORK ON NEW BUILDING

Part 2 - Tax information

For each applicable tax article or type below, list the actual or estimated amount of tax generated by the activities of the businesses and employees operating on the brownfield site. If the businesses were subject to the tax, but did not generate tax revenue, enter 0. If the businesses were not subject to the tax, enter N/A.

| | Actual or Estimated (mark an X in one) | | Amount |
|--|---|-------------------------------------|--------|
| State taxes | | | |
| Article 9 - Corporation Tax | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 9-A - Franchise Tax on Business Corporations | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 11 - Tax on Mortgages | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 13 - Tax on Unrelated Business Income | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 22 - Personal Income Tax | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 0 |
| Article 28 - Sales and Compensating Use Taxes | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 0 |
| Article 29 - Taxes authorized for cities, counties, and school districts | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 30 - City Personal Income Tax | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 31 - Real Estate Transfer Tax | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 32 - Franchise Tax on Banking Corporations | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 33 - Franchise Tax on Insurance Corporations | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 33-A - Tax on Independently Procured Insurance | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Article 33-B - Tax on Real Estate Transfers in Towns | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| Local taxes | | | |
| Any Real Property Taxes | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| New York City Unincorporated Business Taxes | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| New York City Business Taxes | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| New York City Real Property Transfer Taxes | <input type="checkbox"/> | <input type="checkbox"/> | N/A |
| New York City Mortgage Taxes | <input type="checkbox"/> | <input type="checkbox"/> | N/A |

