

122:31-1-01**Definitions.**

- (A) "Brownfield" means the definition listed in section 122.65 of the Ohio Revised Code.
- (B) "Development" means the Department of Development, or any successor agency.
- (C) "Director" means the director of Development.
- (D) "Program" means the brownfield remediation program as defined by section 122.6511 of the Ohio Revised Code.
- (E) "Program guidelines" means the program guidelines created by Development to supplement division 122:31 of the Administrative Code and support the administration of the brownfield remediation program. The current program guidelines can be found on [www.development.ohio.gov/brownfield](http://www.development.ohio.gov/brownfield).
- (F) "Remediation" means the definition listed in section 122.65 of the Ohio Revised Code.

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Certification

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Date

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Rule Amplifies: 122.6511

122:31-1-02

**Eligible Properties.**

(A) Eligible properties must meet the definition of a "Brownfield" as defined in section 122.65 of the Ohio Revised Code.

(B) Further property eligibility conditions can be found in the program guidelines.

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122:31-1-03**Eligible Applicant.**

- (A) An eligible applicant is a county, township, municipal corporation, port authority, or conservancy district or a park district, or other similar park authority. These entities are collectively referred to as "units of local government." Other eligible applicants include a county land reutilization corporation, nonprofit organization, or organization for profit. These additional entities must have entered into an agreement with a unit of local government to work in conjunction on the project for the purposes of this program. A copy of the agreement must be provided within the application.
- (B) The eligible applicant shall designate a sole point of contact for the project.
- (C) The eligible applicant shall comply with any other criteria the director determines is necessary.
- (D) Entities that caused or contributed to the contamination at the property are not an eligible partner or applicant.

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122:31-1-04

**Application.**

(A) An eligible applicant shall submit a timely application that complies with the program guidelines which are available online at [www.development.ohio.gov/brownfield](http://www.development.ohio.gov/brownfield).

(B) Applications for the brownfield remediation program may be submitted for a site located in any county in the state of Ohio.

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122:31-1-05**Grant Agreement.**

- (A) An eligible applicant awarded grant funds must enter into a brownfield remediation program grant agreement with the director. Failure of the eligible applicant to execute and deliver the grant agreement in the form and substance satisfactory to the director may result in cancellation of the award.
- (B) Among other things, the grant agreement will authorize Development to terminate the agreement and require a repayment of all or a portion of the grant moneys disbursed to the grantee if the director determines that the grantee is not in compliance with the terms of the grant agreement.
- (C) Prior to making any changes to an approved brownfield remediation program project, the grantee must request and receive written approval of the director for the proposed change.

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122:31-1-06

**Reporting.**

(A) Grantees shall adhere to reporting requirements, as determined by Development. Reporting requirements at a minimum will include quarterly performance reports and a final performance report.

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