



## Ohio Revised Code

### Section 122.6511 Brownfield remediation program.

Effective: September 30, 2025

Legislation: House Bill 96

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(A) As used in this section and section 122.6512 of the Revised Code:

(1) "Brownfield" means an abandoned, idled, or under-used industrial, commercial, or institutional property where expansion or redevelopment is complicated by known or potential releases of hazardous substances or petroleum.

(2) "Lead entity" means a county, township, municipal corporation, port authority, conservancy district, park district or other similar park authority, county land reutilization corporation, or organization for profit.

(3) "Remediation" means any action to contain, remove, or dispose of hazardous substances or petroleum at a brownfield. "Remediation" includes the acquisition of a brownfield, demolition performed at a brownfield, and the installation or upgrade of the minimum amount of infrastructure that is necessary to make a brownfield operational for economic development activity.

"Remediation" also includes demolition and infrastructure development costs.

(4) "County land reutilization corporation" has the same meaning as in section 1724.01 of the Revised Code.

(5) "Demolition and infrastructure development costs" means demolition costs and costs associated with constructing, upgrading, or extending infrastructure necessary to make a brownfield operational.

(6) "Priority investment area eligible project" means some or all of the following activities necessary or conducive for generating, transporting, storing, or transmitting electricity at the site of a brownfield or former coal mine located in a priority investment area designated under section 122.161 of the Revised Code:



- (a) Environmental or cultural resource site assessments;
- (b) The monitoring, remediation, cleanup, or containment of land to remove any condition or substance regulated by state or federal environmental laws or regulations, including hazardous substances, hazardous wastes, solid wastes, or petroleum;
- (c) The demolition and removal of existing structures, grading, or other site work necessary to make a site or certain real property that includes a brownfield or former coal mine usable for economic development;
- (d) The development of a remediation and reuse plan;
- (e) The development or operation of a site for energy generation or battery storage.

(B)(1) There is hereby created the brownfield remediation program to award grants for priority investment area eligible projects and the remediation of brownfield sites throughout Ohio. The program shall be administered by the director of development pursuant to this section and rules adopted pursuant to division (B)(2) of this section.

(2) The director shall adopt rules, under Chapter 119. of the Revised Code, for the administration of the program. The rules shall include provisions for determining project and project sponsor eligibility, program administration, and any other provisions the director finds necessary.

(3) The director shall not award a grant exceeding ten million dollars to a priority investment area eligible project. Grants for such projects may not be used for the construction or operation of electric generating infrastructure.

(C)(1) There is hereby created in the state treasury the brownfield remediation fund. The fund shall consist of moneys appropriated to it by the general assembly.

The director shall reserve funds from each appropriation to the fund to each county in the state. The amount reserved shall be one million dollars per county, or, if an appropriation is less than eighty-eight million dollars, a proportionate amount to each county. Amounts reserved pursuant to this



section are reserved for one calendar year from the date of the appropriation. After one calendar year, the funds shall be available pursuant to division (D) of this section.

(2) A lead entity may submit a grant application for the use of funds reserved under division (C)(1) of this section to the director.

(D) Funds from an appropriation not reserved under division (C)(1) of this section shall be available for grants to projects located anywhere in the state, and grants from those funds shall be awarded on a case by case basis. In making the award determination, the director shall evaluate the economic merit of the project to the county, surrounding counties, and state. The director also shall ensure that projects awarded are in different regions of the state.

(E) The amendments to this section by this act apply to new projects that are applied for and awarded funding by the director of development on and after the effective date of this amendment. Projects that are applied for or were applied for under this section prior to July 1, 2025, shall be governed by this section as it existed prior to July 1, 2025.