

CLIENT ALERT

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1

MAJOR NEW BROWNFIELD AND SITE REMEDIATION FUNDING IN OHIO

By Madeline P. Fleisher

Ohio's new biennial [budget](#), signed into law by Governor DeWine on June 30, brings good news for the redevelopment of brownfields and other distressed properties in Ohio. Ohio Revised Code ("R.C.") section 122.6511 institutes a new "Brownfield Remediation Program" that will provide grants for site remediation throughout Ohio, funded by a full \$350 million appropriation. This is accompanied by a new "Building Demolition and Site Revitalization Program" established under R.C. 122.6512 that will award grants for the demolition of commercial and residential buildings and revitalize surrounding properties on sites that do not qualify as brownfields, supported by a \$150 million appropriation. Both programs will be overseen by the state Department of Development.

These funding mechanisms are a key next step building on Ohio's 2020 incorporation of the federal Bona Fide Prospective Purchaser defense to hazardous substance liability into state law, as covered in a prior [update](#) by Dickinson Wright. The Department of Development will be promulgating rules to ensure the program is operational within 90 days of the bill's effective date, and Dickinson Wright will continue to monitor further steps toward addressing Ohio's inventory of distressed properties.

KEY CONTACT



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