

Publications

Ohio Department of Development Issues Brownfield Remediation and Building Demolition Funding Guidelines – Local Governments Need to Act Fast

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On December 7, 2021, Governor DeWine issued [Executive Order 2021-16D](#) authorizing the Ohio Department of Development (ODOD) to adopt temporary rules for the [Brownfield Remediation Fund](#) (the “Brownfield Program”) and the [Building Demolition and Site Revitalization Program](#) (the “Demolition Program”). The ODOD issued Brownfield Program [guidelines](#) and Demolition Program [guidelines](#) on the same day. The rules will remain in effect until the earlier of approval of final rules or April 7, 2022.

The following are key aspects of both Programs:

BROWNFIELD PROGRAM

It provides grants for the assessment and cleanup and remediation of brownfield sites for future economic development.

1. Application process

Applications for the Brownfield Program will occur in three rounds:

- Round 1: NOW – January 31, 2022 (ODOD is expected to make applications available online the week of December 13-17, 2021)
- Round 2: March 1, 2022 – April 30, 2022
- Round 3: July 1, 2022 – September 30, 2022

An applicant that is awarded grant funds must enter into a brownfield remediation program agreement with ODOD.

2. Availability of funding

- \$350 million for the assessment and cleanup or remediation of brownfield sites

- \$1 million set aside for each county in Ohio (\$88 million)
 - Available through June 30, 2022 via the first two rounds of applications
 - No match fund requirement
- Remaining \$262 million available statewide on a **first-come, first served basis** – after the \$1 million set aside for a particular county has been allocated – via any of the three rounds of applications
 - Up to \$300,000 available for each assessment project
 - Up to \$10 million available for each cleanup and remediation project
 - Includes cost to acquire brownfield property (limited to 10% of total project)
 - Requires matching fund contribution of at least 25% of total project cost
- Costs incurred prior to the grant agreement beginning date are not eligible for reimbursement

3. Eligible Applicants

- Eligible applicants include Ohio counties, townships, municipal corporations, port authorities, and conservancy districts or park districts.
- Other eligible applicants include a county land revitalization corporation, nonprofit organization, or organization for profit that has entered into an agreement with a unit of local government to work in conjunction on a Brownfield Program project.
- Entities that caused or contributed to the contamination at a property are **NOT** eligible applicants.

4. Other key points:

- "Assessment" means a phase I and phase II property assessment conducted in accordance with ORC 3746.04 and/or an asbestos survey for asbestos abatement.
- "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.
- "Cleanup or remediation" means any action to contain, remove, or dispose of hazardous substances or petroleum at a brownfield. "Cleanup or 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.

DEMOLITION PROGRAM

It provides grants for the demolition of non-brownfield commercial and residential buildings and revitalization of surrounding properties that are not brownfields.

1. Application process

- Lead Entities must submit a grant user access form identifying the person who will need access to the online application for grant completion. **Grant user access forms must be submitted to ODOD on or before December 20, 2021.** A copy of the grant user access form is available [here](#).

- ODOD will provide access to the online application by December 22, 2021.

Applications must be submitted on or before February 28, 2022.

2. Availability of funding

- \$150 million available for costs associated with building demolition projects, including certain administrative costs, pre-demolition assessment and preparation costs, demolition and material removal costs, and post-demolition costs including site restoration.
 - \$500,000 set aside for each county (\$44 million)
 - No match required
 - \$106 million available statewide on a first-come, first-served basis
 - Requires matching fund contribution of at least 25% of total project cost
- Grantees must comply with Prevailing Wage Rates and Labor Standards under ORC 4115.03-4115.16 with respect to payment of all mechanics and laborers employed in work financed with grant funds.

3. Eligible Applicants

- Eligible applicants are the “Lead Entity” established for each Ohio county.
 - For counties where a land reutilization corporation (LRC) has been established, the LRC is the Lead Entity.
 - For counties where a LRC has not been established, the Board of County Commissioners must submit a Lead Entity letter of intent to ODOD identifying the Board of County Commissioners or another unity of local government within the county as the Lead Entity.
- **Lead Entity letters of intent must be submitted to ODOD on or before December 20, 2021.**