



Getting Started - More Information:

In order to obtain Clean Ohio funding a project must meet the definition of a **brownfield**. The project also must have suspected or identified contamination above an **applicable standard** which is regulated by the Ohio Environmental Protection Agency (Ohio EPA).

It is important to determine who owns the property and any liens or taxes against it. Much of this information can be found on the County Auditor's web page. Properties undergoing foreclosure or eminent domain are not ready for a Clean Ohio grant; you must wait until ownership has transferred before applying for funds.

In order to conduct any investigation, you need to obtain legal access to the property from the current property owner; this is done with an access agreement.

The first step is to determine what potential contamination may exist on a property due to its past or current use or adjacent property use. A **Phase I Environmental Assessment** is conducted to identify areas of the property which may need to be investigated further. A VAP compliant Phase I Assessment can be conducted in a few months. If an additional investigation is warranted an **Asbestos Survey** and/or **Phase II Environmental Site Assessment** should be conducted to identify the location, amount, and level of contamination throughout the property. The **Clean Ohio Assistance Fund** can provide grants for Asbestos Surveys and Phase II Environmental Assessment activities for properties located in **eligible areas**.

It is important to take the correct next steps if contamination is found at the property during the investigations. To reuse the property safely, activities should be undertaken to cleanup the property by removing, remediating, or mitigating environmental problems so that the risk level is acceptable for the intended reuse. The **Ohio Voluntary Action Program (VAP)** is an environmental program run by the Ohio EPA which has assigned values to **chemicals of concern (COC)** in different **media** that correlate with acceptable levels of risk for residential or commercial/industrial reuse.

There are often several different ways that contamination can be removed, remediated or mitigated at a project site. A **Certified Professional** can prepare a plan to cleanup the property through a **Remedial Action Plan (RAP)** which will serve as a blueprint to a clean safe site. This will be accompanied by a cost estimate for the activities identified in the RAP. The **Clean Ohio Assistance Fund** and **Clean Ohio Revitalization Fund** can provide grants to cleanup properties.

After the cleanup activities are complete the Certified Professional will issue a **No Further Action (NFA)** letter for the property detailing the removal, remediation, and mitigation activities completed at the property. The Ohio EPA reviews the NFA and when approved issues a **Covenant Not to Sue (CNS)** for the property.



Department of
Development

Ted Strickland, Governor

Lee Fisher, Lt. Governor

Director, Ohio Department of Development

Glossary of Brownfield Terms

Applicable Standard – A cleanup goal for an environmental media that, if reached, ensures that the property is protective of human health and the environment. Standards may include the maximum contaminant allowed in surface water for fish, or the maximum contaminant allowed in soil for a commercial building, or the maximum contaminant allowed in ground water for residential areas, etc.

Asbestos Survey – involves identification and sampling of potential Asbestos Containing Material (ACM). ACM can include pipe wrapping insulation, floor tiles and ceiling tiles.

Brownfield – Abandoned, idled, or under-used industrial and commercial property where expansion or redevelopment is complicated by known or potential release of hazardous substances or petroleum.

Brownfield Revolving Loan Fund – A statewide low-interest revolving loan fund providing dollars to cleanup brownfield properties. The U.S. Environmental Protection Agency granted funds to the Ohio Department of Development to capitalize the program.

Certified Professional – An experienced environmental professional who has met the qualifications set forth by the Ohio Environmental Protection Agency and paid fees to receive the certification. The Certified Professional's prepare final documents for voluntary assessments and cleanups and have required ongoing training obligations.

Chemicals of Concern - Lists of chemicals that have been identified by the U.S. Environmental Protection Agency as having potential to pose a significant threat to health and environment.

Clean Ohio Assistance Fund – Discretionary grant program serving communities designated as Ohio Priority Investment Areas. Grants are available for up to \$300,000 for environmental site assessment, and up to \$750,000 for remediation projects. The COAF receives 20% of funding appropriated for the brownfield portion of the Clean Ohio Fund. Applications are accepted, reviewed, and approved on an ongoing basis. COAF applications are approved by the Director of the Ohio Department of Development.

Clean Ohio Revitalization Fund – Statewide competitive grant program governed by the Clean Ohio Council in which communities compete for grants for up to \$3 million to acquire, demolish, cleanup, and improve infrastructure on brownfield properties. The Revitalization Fund receives 80% of funding appropriated for the brownfield program. Applications are accepted, reviewed, and scored in accordance with the published program policies. The enabling legislation for the program is Ohio Revised Code (O.R.C.) 122.65-122.659.

Cleanup - Any action to contain, remove, or dispose of hazardous substances or petroleum at a brownfield or public health project. 'Cleanup includes remediation and demolition performed at a brownfield.

Covenant Not to Sue – A document issued by the Ohio Environmental Protection Agency upon completion of a voluntary environmental investigation and/or cleanup. The covenant states that based on current conditions, the State of Ohio will not require further investigation or cleanup of this site.

Eligible Areas – All areas in Ohio are eligible for the Clean Ohio Revitalization Fund. Areas designated on the Ohio Priority Investment Area Map are eligible for the Clean Ohio Assistance Fund. (Ohio Priority Investment Area Map: http://www.development.ohio.gov/research/Reports_in_maps_economic_related.htm#G200)

Media – Environmental media includes soil, ground water, surface water, and sediment.

No Further Action (NFA) - A letter prepared by a Certified Professional certifying that a property has been remediated to applicable standards.

Phase I Environmental Site Assessment (ESA) – involves the collecting of current and historical property information such as use and ownership and defining what potential areas of concern, if any, may be present. This assessment document is also now a common requirement for transaction of commercial/industrial real estate.

Phase II Environmental Site Assessment (ESA) – involves collecting soil, surface water, or groundwater samples from areas of concern to determine the presence or absence of contaminants at that location.

Remedial Action Plan (RAP) – A plan created to perform various remedial activities so that the property will meet applicable standards. Remedial activities

may include physically removing the contamination, chemically or biologically treating the contamination, or constructing engineering controls to ensure that the property is protective of human health and the environment.

Voluntary Action Program (VAP) – A voluntary cleanup program administered by the Ohio Environmental Protection Agency. The program allows voluntary cleanup of properties to standards based on the planned end use of the property.

Ohio Public Works Commission Integrating Committee or, if so authorized, its executive committee, scores and prioritizes Clean Ohio Revitalization Fund applications using criteria established by the Clean Ohio Council and in accordance with the Ohio Revised Code.