

(2) (I) WITHIN 30 DAYS AFTER RECEIPT OF A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL NOTIFY AN APPLICANT WHETHER, IF APPROVED TO PARTICIPATE IN THE VOLUNTARY CLEANUP PROGRAM OR A CORRECTIVE ACTION PLAN, THE APPLICANT QUALIFIES FOR FINANCIAL INCENTIVES FOR THE REDEVELOPMENT OF A BROWNFIELDS SITE.

(II) IN THE DEPARTMENT'S NOTICE OF AN APPLICANT'S QUALIFICATION FOR FINANCIAL INCENTIVES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL SPECIFY WHICH OF THE CRITERIA SET FORTH IN PARAGRAPH (4) THE APPLICANT MET.

(3) THE DEPARTMENT SHALL DETERMINE THE ELIGIBILITY OF A SITE AS A QUALIFIED BROWNFIELDS SITE BASED ON WHETHER:

(I) THE PROPERTY IS LOCATED IN A DENSELY POPULATED URBAN CENTER AND IS SUBSTANTIALLY UNDERUTILIZED; OR

(II) THE PROPERTY IS AN EXISTING OR FORMER INDUSTRIAL OR COMMERCIAL SITE THAT POSES A THREAT TO PUBLIC HEALTH OR THE ENVIRONMENT.

(4) THE DEPARTMENT MAY CONSIDER THE FOLLOWING CRITERIA WHEN SELECTING A QUALIFIED BROWNFIELDS SITE:

(I) THE FEASIBILITY OF REDEVELOPMENT;

(II) THE PUBLIC BENEFIT PROVIDED TO THE COMMUNITY AND THE STATE THROUGH THE REDEVELOPMENT OF THE PROPERTY;

(III) THE EXTENT OF RELEASES OR THREATENED RELEASES AT THE SITE AND THE DEGREE TO WHICH THE CLEANUP AND REDEVELOPMENT OF THE SITE WILL PROTECT PUBLIC HEALTH OR THE ENVIRONMENT;

(IV) THE POTENTIAL TO ATTRACT OR RETAIN MANUFACTURING OR OTHER ECONOMIC BASE-TYPE EMPLOYERS;

(V) THE ABSENCE OF IDENTIFIABLE AND FINANCIALLY SOLVENT RESPONSIBLE PERSONS; OR

(VI) ANY OTHER FACTOR RELEVANT AND APPROPRIATE TO ECONOMIC DEVELOPMENT.

(B) DURING THE COURSE OF EVALUATING POTENTIAL QUALIFIED BROWNFIELDS SITES, THE DEPARTMENT SHALL CONSULT WITH:

(1) THE DEPARTMENT OF THE ENVIRONMENT, THE OFFICE OF PLANNING, AND RELEVANT LOCAL OFFICIALS;

(2) THE NEIGHBORING COMMUNITY AND ANY CITIZEN GROUPS LOCATED IN THE COMMUNITY;

(3) REPRESENTATIVES OF STATE AND LOCAL ENVIRONMENTAL ORGANIZATIONS;