

(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;

(4) PUBLIC HEALTH EXPERTS; AND

(5) ANY OTHER PERSON THE DEPARTMENT CONSIDERS APPROPRIATE.

(C) THE DEPARTMENT SHALL DEVELOP A PROGRAM OF FINANCIAL INCENTIVES, INCLUDING LOW-INTEREST LOANS AND GRANTS, TO ASSIST PERSONS WHO PARTICIPATE IN THE BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM.

3-904. BROWNFIELDS REVITALIZATION INCENTIVE FUND.

(A) THERE IS A BROWNFIELDS REVITALIZATION INCENTIVE FUND IN THE DEPARTMENT THAT IS ESTABLISHED AS A NONLAPSING, REVOLVING SPECIAL FUND.

(B) THE FUND CONSISTS OF:

(1) MONEYS COLLECTED UNDER § ~~9-109~~ 9-229 OF THE TAX - PROPERTY ARTICLE;