

~~[1.] (I) Subject to a corrective action plan approved by the Department of the Environment in accordance with Title 4 of the Environment Article; [and]~~

~~[2.] (II) Located in a taxing jurisdiction that has:~~

~~1. [elected] ELECTED to participate in the Brownfields Revitalization Incentive Program in accordance with § 9-229 of the Tax - Property Article[-.]; AND~~

~~2. SUBMITTED TO THE DEPARTMENT A LIST, UPDATED AT LEAST ANNUALLY, OF THE POTENTIAL BROWNFIELDS SITES IN THE TAXING JURISDICTION, RANKED IN THE ORDER OF PRIORITY FOR REDEVELOPMENT RECOMMENDED BY THE TAXING JURISDICTION; AND~~

~~(III) OWNED OR OPERATED BY A PERSON RESPONSIBLE FOR THE DISCHARGE WHO HAS NOT CAUSED OR CONTRIBUTED TO THE DISCHARGE, OR BY A PERSON WHO IS NOT RESPONSIBLE FOR THE DISCHARGE.~~

~~[(2) "Brownfields site" does not include property that is owned or operated by a responsible person or a person responsible for the discharge.]~~

(i) An eligible property, as defined in § 7-501 of the Environment Article, that is:

1. Owned or operated by [an]:

A. AN INculpable person, as defined in § 7-501 of the Environment Article; [and] OR

B. AN INNOCENT PURCHASER THAT MEETS THE REQUIREMENTS SET FORTH IN § 7-201(X)(2)(I) OF THE ENVIRONMENT ARTICLE; AND

2. Located in a [taxing jurisdiction] COUNTY OR MUNICIPAL CORPORATION that has elected to participate in the Brownfields Revitalization Incentive Program in accordance with [§ 9-229 of the Tax - Property Article] § 3-902(C) OF THIS SUBTITLE; or

(ii) Property where there is a release, discharge, or threatened release of oil, as defined in § 4-401 of the Environment Article, that is:

1. Subject to a corrective action plan approved by the Department of the Environment in accordance with Title 4 of the Environment Article; and

2. Located in a [taxing jurisdiction] COUNTY OR MUNICIPAL CORPORATION that has elected to participate in the Brownfields Revitalization Incentive Program in accordance with [§ 9-229 of the Tax - Property Article] § 3-902(C) OF THIS SUBTITLE.

(2) "Brownfields site" does not include property that is owned or operated by a responsible person or a person responsible for the discharge.