

(I) BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM.

"BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM" MEANS THE PROGRAM IN THE DEPARTMENT THAT PROVIDES FINANCIAL ASSISTANCE FROM THE FUND FOR THE REDEVELOPMENT OF QUALIFIED BROWNFIELDS SITES, AS PROVIDED IN PART VI OF THIS SUBTITLE.

REVISOR'S NOTE: This subsection formerly was Art. 83A, § 5-1401(i).

In this subsection and throughout this subtitle, the reference to "Part VI" of this subtitle is substituted for the former reference to "§ 5-1408" of this subtitle to reflect the revision of former Art. 83A, § 5-1408 in Part VI of this subtitle.

The only changes are in style.

Defined terms: "Financial assistance" § 5-301

"Fund" § 5-301

"Qualified brownfields site" § 5-301

(J) BROWNFIELDS SITE.

(1) "BROWNFIELDS SITE" MEANS A PROPERTY THAT:

(I) IS LOCATED IN A COUNTY OR MUNICIPAL CORPORATION THAT ELECTS TO PARTICIPATE IN THE BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM IN ACCORDANCE WITH § 5-336 OF THIS SUBTITLE; AND

(II) IS:

1. AN ELIGIBLE PROPERTY, AS DEFINED IN § 7-501 OF THE ENVIRONMENT ARTICLE, THAT IS OWNED OR OPERATED BY AN INCULPABLE PERSON, AS DEFINED IN § 7-501 OF THE ENVIRONMENT ARTICLE; OR

2. A PROPERTY WHERE THERE IS A RELEASE, DISCHARGE, OR THREATENED RELEASE OF OIL, AS DEFINED IN § 4-401 OF THE ENVIRONMENT ARTICLE, THAT IS SUBJECT TO TITLE 4 OF THE ENVIRONMENT ARTICLE.

(2) "BROWNFIELDS SITE" DOES NOT INCLUDE PROPERTY THAT IS OWNED OR OPERATED BY:

(I) A RESPONSIBLE PERSON AS DEFINED IN § 7-201 OF THE ENVIRONMENT ARTICLE; OR

(II) A PERSON RESPONSIBLE FOR THE DISCHARGE, AS DEFINED IN § 4-401 OF THE ENVIRONMENT ARTICLE.

REVISOR'S NOTE: This subsection formerly was Art. 83A, § 5-1401(j) and (s).

In paragraph (2)(i) of this subsection, the phrase "as defined in § 7-201 of the Environment Article" is added for clarity.

The only other changes are in style.