

(4) THE POTENTIAL TO ATTRACT OR RETAIN MANUFACTURING OR OTHER ECONOMICALLY SIGNIFICANT EMPLOYERS;

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

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

(C) REQUEST FOR DETERMINATION OF QUALIFICATION.

A PERSON MAY SUBMIT A REQUEST TO THE DEPARTMENT TO DETERMINE WHETHER THE PERSON QUALIFIES FOR FINANCIAL ASSISTANCE FOR THE POTENTIAL REDEVELOPMENT OF A BROWNFIELDS SITE WHEN THE PERSON:

(1) APPLIES TO PARTICIPATE IN THE VOLUNTARY CLEANUP PROGRAM UNDER TITLE 7, SUBTITLE 5 OF THE ENVIRONMENT ARTICLE; OR

(2) RECEIVES APPROVAL FROM THE DEPARTMENT OF THE ENVIRONMENT TO IMPLEMENT A CORRECTIVE ACTION PLAN UNDER TITLE 4 OF THE ENVIRONMENT ARTICLE.

(D) NOTICE OF QUALIFICATION.

(1) THE DEPARTMENT SHALL NOTIFY THE PERSON WHETHER THE PERSON QUALIFIES FOR FINANCIAL ASSISTANCE FOR THE REDEVELOPMENT OF A BROWNFIELDS SITE WITHIN 30 DAYS AFTER THE DEPARTMENT RECEIVES A REQUEST UNDER SUBSECTION (C) OF THIS SECTION IF:

(I) THE DEPARTMENT OF THE ENVIRONMENT APPROVES THE PARTICIPATION IN THE VOLUNTARY CLEANUP PLAN OR A CORRECTIVE ACTION PLAN; AND

(II) THE DEPARTMENT OR AUTHORITY APPROVES THE FINANCIAL ASSISTANCE.

(2) THE NOTICE SHALL SPECIFY WHICH OF THE CRITERIA IN SUBSECTION (B) OF THIS SECTION THAT THE PERSON MEETS.

(E) CONSULTATION.

WHEN EVALUATING POTENTIAL QUALIFIED BROWNFIELDS SITES, THE DEPARTMENT SHALL CONSULT WITH:

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

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

(3) REPRESENTATIVES OF STATE AND LOCAL ENVIRONMENTAL ORGANIZATIONS;

(4) PUBLIC HEALTH EXPERTS; AND