



**Senate Agriculture and Natural Resources Committee
Proponent Testimony – Senate Bill 83 (Williams – Rulli)
Jason Warner, Director of Strategic Engagement, Greater Ohio Policy Center
Tuesday, March 23, 2021**

Chair Schaffer, Vice Chair Huffman, Ranking Member Fedor, and members of the Senate Agriculture and Natural Resources Committee: thank you for the opportunity to provide proponent testimony for Senate Bill 83, legislation authorizing a study of the pervasiveness of brownfields across the State of Ohio.

My name is Jason Warner, and I am the Director of Strategic Engagement with the Greater Ohio Policy Center (GOPC). GOPC is a statewide, non-partisan not-for-profit organization. GOPC's mission is to improve the communities of Ohio through smart growth strategies and research. Our vision is a revitalized Ohio.

For those of you who are unaware or unfamiliar with brownfields, the term is generally applied to any previously developed site that is not currently in use that is environmentally contaminated.

The United States Environmental Protection Agency (US EPA) has defined brownfields not simply as a possible improvement site which has been previously improved, but one that may also have impediments, such as "the presence or potential presence of a hazardous substance, pollutant, or contaminant" ⁱThis comports well with an available general definition of the term, which scopes to "industrial or commercial property". ⁱⁱ

The term brownfields first came into use when in 1992, the first detailed policy analysis of the issue was convened by the Cuyahoga County Planning Commission. The US EPA selected Cuyahoga County as its first brownfield pilot project in September 1993. ⁱⁱⁱ The term applies more generally to previously used land or to sections of industrial or commercial facilities that are to be upgraded. ^{iv}

Generally, brownfield sites exist in a city's or town's industrial sector, commonly found at abandoned factories or commercial buildings. However, they can also be found in or near the periphery of residential neighborhoods as well. They can be as small as a former stand-alone dry-cleaning business or mechanic's shop to as large as an abandoned hospital or steel mill.

Brownfields can inhibit a community's ability to renovate, rebuild or revitalize an industrial, commercial, or residential neighborhood. Their existence drives down property values and can contribute to poor public health.

More problematic however, is that while some sites are obvious, others are not as clear to the naked eye. While all of us here today can think of some property in our communities that would qualify – others are not as apparent. The passage of time can sometimes lead to properties slipping under the radar and confusion over what, if any, contamination may exist on a property. Sadly, some properties will never be revealed to be a brownfield until actual redevelopment activity may get underway. It is not unheard of for a previous property owner to have buried

hazardous materials which seep into the soil or for work to have been undertaken on a property that is not publicly disclosed at the time of a sale.

Senate Bill 83 seeks to address this issue by providing for a study by the Ohio Environmental Protection Agency to conduct, in conjunction with Ohio public universities, a study to determine where brownfield sites are located in Ohio, estimate the cost of performing the clean-up of the identified brownfield site, identifying sources to support the clean-up of the brownfield sites, and develop recommendations for changes to state and local laws and policies that would help facilitate the clean-up of the identified brownfield sites.

As a longtime advocate for the remediation of brownfield sites in Ohio, GOPC recognizes the benefits of such a study. While it will be nearly impossible for such a research project to identify every possible brownfield site in Ohio, and the ebb and flow of the marketplace means that the list will never be complete, Senate Bill 83 will help answer the question GOPC hears most often when discussing brownfields: How many are there and are there any in my district.

While it is easy to answer the second part of that question (**YES**), it is often difficult to answer the first, without proper analysis.

Chair Schaffer and members of the Agriculture and Natural Resources Committee, thank you for the opportunity to testify today. While you will be hearing from my colleague momentarily about ways that Ohio may seek to address the revitalization of brownfields with dedicated, sustainable funding from the state, I am happy to answer any questions you or members of the committee may have about the need to identify these scourges of economic progress across the state of Ohio.

ⁱ "Overview of EPA's Brownfields Program". Brownfields. United States Environmental Protection Agency.

ⁱⁱ "Glossary of Brownfields Terms". Brownfields Center. Environmental Law Institute.

ⁱⁱⁱ "Brownfields Program Achievements Linked to Early Success". United States Environmental Protection Agency. October 2006. pp. 1–3

^{iv} Maliene V, Wignall L, Malys N (2012). "Brownfield Regeneration: Waterfront Site Developments in Liverpool and Cologne". Journal of Environmental Engineering and Landscape Management.