



Ohio Administrative Code

Rule 164-2-08 Environmental site assessment (ESA) and suspected environmental contamination.

Effective: February 15, 2024

Any application for funding to acquire real property must be based on a good faith belief that the real property is unlikely to be contaminated. If the applicant does not have a good-faith basis to believe that the real property is unlikely to be contaminated, the applicant shall include a phase one ESA under the American Society of Testing Materials (ASTM)1527-21 establishing that the real property is unlikely to be contaminated. Should a natural resources assistance council have a concern that the real property may be contaminated, it shall ask the director to consider requiring the applicant to submit a phase one ESA under ASTM 1527-21 prior to the commission issuing a project agreement which provides the property is unlikely to be contaminated. If a phase one ESA under ASTM 1527-21 concludes that the property is likely to contain contamination, the project application shall be returned to the natural resources assistance council for review.
