§ 56-0502. Definitions.

1. "Community based organization" shall mean a not-for-profit corporation, exempt from taxation under section 501(c)(3) of the internal revenue code whose stated mission is promoting reuse of brownfield sites within a specified geographic area in which the community based organization is located, which has twenty-five percent or more of its board of directors residing in the community in such area; and represents a community with a demonstrated financial need.

"Community based organization" shall not include any not-for-profit corporation that has caused or contributed to the release or threatened release of contamination from or onto the brownfield site, or any not-for-profit corporation that generated, transported, or disposed of, or that arranged for, or caused, the generation, transportation, or disposal of contamination from or onto the brownfield site. This definition shall not apply if more than twenty-five percent of the members, officers or directors of the not-for-profit corporation are or were employed by or receiving compensation from any person responsible for a site under title thirteen of article twenty-seven of this chapter or article twelve of the navigation law or under applicable principles of statutory or common law liability.

1-a. "Contamination" or "contaminated" shall have the same meaning as provided in section 27-1405 of this chapter.

2. "Cost", for purposes of this title, shall have the same meaning as provided in subdivision four of section 56-0101 of this article, except that such term shall not include the requirement to reduce the cost of an approved project in accordance with any federal or state funds for the project received or to be received by the municipality.

3. "Environmental restoration investigation project" shall mean a project, undertaken in accordance with the requirements of this title, to investigate contamination located in, on, or emanating from real property held in title by a municipality.

4. "Environmental restoration remediation project" shall mean a

project, undertaken in accordance with the requirements of this title, to remediate contamination located in, on, or emanating from real property held in title by a municipality.

5. "Municipality", for purposes of this title, shall have the same meaning as provided in subdivision fifteen of section 56-0101 of this article, except that such term shall not refer to a municipality that generated, transported, or disposed of, arranged for, or that caused the generation, transportation, or disposal of contamination located at real property proposed to be investigated or to be remediated under an environmental restoration project. For purposes of this title, the term municipality includes a municipality acting in partnership with a community based organization.

6. "State assistance", for purposes of this title, shall mean in the case of a contract authorized by subdivision one of section 56-0503 of this title, payments made to a municipality to reimburse the municipality for the state share of the costs incurred by the municipality to undertake an environmental restoration project or in the case of a written agreement authorized by subdivision three of section 56-0503 of this title, costs incurred by the state to undertake an environmental restoration project but not reimbursed by a municipality.