

Purpose

Provides financial incentives for the redevelopment of commercial/industrial sites that are contaminated with hazardous substances and have been abandoned or underutilized for at least three years.

Authorization

Sections 447.700 to 447.718, RSMo

Eligible Areas

Statewide.

Eligible Applicants

Any Missouri taxpayer is eligible to participate in the program.

Eligibility Criteria

- The applicant cannot be a party who intentionally or negligently caused the release or potential release of hazardous substances at the project.
- If the property is not owned by a public entity, the city or county must endorse the project.
- The project must be accepted into the “Voluntary Cleanup Program” of the Missouri Department of Natural Resources (DNR).
- The project must be projected by the Missouri Department of Economic Development (DED) to result in the creation of at least ten new jobs or the retention of 25 jobs by a private commercial operation.

Program Benefits/Eligible Uses

Remediation Tax Credits

DED may issue tax credits for up to 100% of the cost of remediating the project property. DED will issue 75% of the credits upon adequate proof of payment of the costs; the remaining 25% will not be issued until a clean letter has been issued by DNR. The tax credit may also include up to 100 percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the

voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

The tax credits can be applied to:

- Ch. 143 – Income tax, excluding withholding tax
- Ch. 147 – Corporate franchise tax
- Ch. 148 –
 - Bank Tax
 - Insurance Premium Tax
 - Other Financial Institution Tax

The remediation tax credit’s special attributes:

- Carry forward 20 years
- Sellable or transferable

Funding Limits

The total state costs of the project tax credits must be less than the projected state economic impact of the project, as determined by DED.

The amount of remediation tax credits issued must be the least amount necessary to cause the project to occur.

Application/Approval Procedure

An applicant must submit an application to DED for determination of eligibility and request for remediation tax credits.

An application must also be submitted to the Department of Natural Resources (DNR) for participation in the “Voluntary Cleanup Program.” Acceptance into this program is a requirement of the Brownfield Redevelopment Program.

Remediation that is performed prior to receipt of a written authorization for remediation tax credits from DED will not be eligible for tax credits and may jeopardize the project's overall eligibility for the program.

Applications may be submitted year-round. Each application is reviewed on a case-by-case basis.

Reporting Requirements

The "Tax Credit Accountability Act" reporting form must be submitted to DED by June 30 each year for three years following the year of the first issuance of tax credits.

Special Program Requirements

Credits are subject to 2.5% issuance fee.

Revised December 2010