



NYC Office of Environmental Remediation: Now agency of choice for potential Brownfield sites

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In August of 2010, New York City announced that it had become the first municipality in the country to be granted supervision of a Brownfield's program. The new program, known as the New York City Brownfield Cleanup Program (BCP), was formally launched by mayor Bloomberg in August 2010. Normally managed and supervised at the state level, the Office of Environmental Remediation (OER) is an arm of the mayor's office in charge of the program throughout the five boroughs. The OER estimates that there are over 3,100 vacant commercial and industrial parcels throughout the city. Many of these sites are passed up by developers because of contamination or perceived contamination that may exist. Without knowing what sub-surface impacts are present and the potential cleanup cost, they are not willing to invest the money required to determine the impact. In addition, The NY State Brownfield's program although good in its intention can lapse into a two year process of submittals, reviews, re-submittals, etc., until a final approval is granted by the New York State Department of Environmental Conservation (NYSDEC).

The OER has a different mandate. The sites OER will handle are generally only lightly or moderately contaminated and have manageable environmental issues that can be dealt with and receive regulatory approval in a more developer friendly time frame. In addition, the program can assist owners of sites that cannot sell particular properties as well as lending institutions that have sites on their balance sheets within their Real Estate Owned (REO) portfolio. Grant money is available under a new program called the New York City Brownfield Incentive Grant Program (BIG) for the phase one environmental site assessment (ESA) and phase two investigations (typically involving soil/groundwater sampling) to assist with the costs of determining what impacts exist. Phase two investigations must be conducted in accordance with standard industry protocols, in order to enable enrollment in the new city cleanup program. The budget to comply with the scope of work required for such enrollment is typically \$20,000. The OER has also represented that after approving a cleanup work plan, it will allow a stand-still of the cleanup, enabling a property to be marketed for sale with a government approved cleanup plan with the actual cleanup to be performed by the a new developer. This can be a significant step in the property's marketability. A site owner or foreclosed bank property could be advertised as "environmental remediation approval in place." Between \$60,000-\$140,000 in grants is now available for environmental study and cleanup of properties in NYC under the BIG program, depending on the nature of the redevelopment and type of cleanup performed.

In November of 2010, director Daniel Walsh announced that four community Brownfield planning groups in Bronx, Manhattan and Staten Island received a total of \$76,865 in grants to assist in furthering the identification and revitalization of local Brownfields. These grants were awarded through the New York City Brownfield Incentive Grant (BIG) Program, and are part of a series of

awards that fund activities and projects across New York City to promote cleanup and redevelopment of vacant, underutilized or contaminated sites.

Brownfields are vacant or underutilized properties where real or perceived contamination hinders redevelopment. The Brownfield Incentive Grant (BIG) Program, launched in 2010 by mayor Bloomberg, provides flexible grants for the study and cleanup of Brownfield properties in New York City throughout the development process, from the earliest stages of pre-development through environmental investigation and cleanup work. The Brownfield Opportunity Area (BOA) Program is a Brownfield planning grant program operated by the New York State Department of State. Grants awarded by the city's Brownfield Incentive Grant (BIG) Program have been provided to satisfy the local match required by the BOA Program.

Not every site is eligible for the New York City BCP. Sites with higher levels of contamination may have to be handled directly by NYSDEC. However, it is anticipated that a majority of the undeveloped sites will be eligible. For more information or to schedule meetings with OER to discuss eligibility contact Shaminder Chawla at OER at (212) 442-3007.

For more information on the NYC Brownfield Incentive Grant Program, visit www.nyc.gov/OER or call the BIG call back hotline at (212) 380-1562.

Chuck Merritt is a LEED AP and the president of Merritt Environmental Consulting Corp., Hauppauge, N.Y.

New York Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540