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## Robinson & Cole Is Now a Qualified Vendor for NYC Brownfield Grants

We are proud to announce that the New York City Mayor's Office of Environmental Remediation (OER) has approved Robinson & Cole LLP as a qualified vendor to provide legal services under the city's Brownfield Incentive Grant (BIG) Program. Robinson & Cole is the *only* law firm currently approved as a qualified vendor for this program.

### **BROWNFIELD INCENTIVE GRANTS**

BIG Program grants are available to property owners and developers to help offset the costs of cleanup and redevelopment of Brownfields located in New York City. Grants are available at all stages of cleanup and development, from site acquisition and feasibility study to environmental investigation and cleanup. Projects enrolled in the New York City Brownfield Cleanup Program (NYC BCP), as well as those that are not, are eligible for grants. The NYC BCP is a voluntary cleanup program aimed at low to moderately contaminated sites, such as those affected by historic, contaminated fill, and is administered by the OER.

Pre-enrollment grants cover pre-development design activities (Phase I environmental site assessments, title insurance, zoning analyses, surveys, etc.), and environmental investigation (sampling, Phase II environmental site assessment activities, etc.). They also cover technical assistance grants for Preferred Community Development Projects, which provide specific benefits to local communities, such as affordable housing developments, brownfield projects within Brownfield Opportunity Areas (BOAs), and projects that offer services to local communities such as open space or community health care facilities. Projects that are not Preferred Community Development Projects are referred to as Qualifying Brownfield Projects.

Enrollment grants are available to those parties who have enrolled in the NYC BCP. These grants cover environmental cleanup and environmental insurance, with bonus grants available for "Track 1" cleanups and "strategic BOA projects."

Parties may be eligible to receive BIG Program grants for legal services provided by Robinson & Cole in connection with the following activities:

- Pre-development

- Title Insurance/Title Search
- Phase I Environmental Site Assessment (ESA) Review
- Project Feasibility Studies
- Community Outreach
- Site Survey Review
- Environmental Investigation
  - Work Plan and Report Preparation and Review
  - Phase II Environmental Site Assessment (ESA) Review
  - Remedial Investigation Work Plan Preparation and Review
  - Remedial Investigation Report Preparation and Review
- Environmental Remediation
  - Work Plan and Report Preparation and Review
  - Remedial Action Work Plan Preparation and Review
  - Remedial Action Report Preparation and Review
- Technical Assistance
  - Project Management Services (planning and execution of a Brownfield project)
  - Review of Brownfield Project Sequencing and Scheduling
  - Declaration of Covenants and Restrictions Preparation

Parties that successfully investigate and remediate a site under the NYC BCP will be issued a Certificate of Completion (COC) from OER, which runs with the land and extends to subsequent owners, developers, or occupants of the site. The COC includes a liability release from New York City. In addition, the New York State Department of Environmental Conservation (DEC) has stated in a recent memorandum of agreement between the OER and the DEC that it has "no further interest" and "does not plan or anticipate taking administrative or judicial enforcement action seeking to require a removal or remedial action" under CERLCA or the New York State Environmental Conservation Law for sites that have completed and are in compliance with the NYC BCP.

A complete list of BIG Program-qualified vendors can be accessed at <http://www.nycbrownfield.com>.

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**FOR MORE INFORMATION**

Robinson & Cole has experienced environmental attorneys who understand that environmental remediation is just one of the complex, multifaceted, and sometimes competing demands made on real estate developers, investors, community organizations, businesses, and other entities. For more information on the NYC BIG Program, the NYC BCP, or other Brownfield opportunities in New York City and New York State, please contact [John A. Poakeart](#) in our New York Metro office at (212) 451-2948 or [Pamela K. Elkow](#) in our New York Metro office at (212) 451-2943.

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