Brownfield Cleanup & Redevelopment

New Jersey is home to numerous brownfield sites – former commercial or industrial properties that are vacant or underutilized due to suspected or actual environmental contamination. These sites, while presenting environmental challenges, also represent significant opportunities for revitalization and economic growth. Greenbaum has a leading practice in brownfield cleanup and redevelopment, guiding clients through the intricacies of transforming these properties into productive assets. We represent purchasers, sellers and lenders in brownfield redevelopment projects and transactions at the sites of former industrial and commercial facilities, factories, landfills, gas stations and other contaminated properties. We assist in evaluating the viability of each transaction and redevelopment project by identifying and balancing risks against potential gains from a business perspective.

Our team is dedicated to facilitating the productive reuse of brownfield sites, transforming environmental liabilities into economic opportunities for our clients and communities across New Jersey. We draw upon extensive experience as we negotiate the allocation of liability and evaluate the use of risk reduction tools such as environmental insurance, commencing with initial due diligence and the contract drafting phase. We guide clients through all phases of environmental permitting and the coordination of remediation with redevelopment activities.

During the due diligence phase, we work closely with environmental consultants to conduct thorough environmental due diligence, including Phase I and Phase II Environmental Site Assessments, to identify the extent and nature of contamination, evaluate potential risks, and inform the viability of redevelopment. We advise purchasers, sellers, and lenders on managing environmental risks and negotiating appropriate contractual allocations of liability.

New Jersey's Site Remediation Reform Act (SRRA) and its Licensed Site Remediation Professional (LSRP) program are central to brownfield cleanups in New Jersey. We counsel clients on their obligations under these laws, including reporting requirements, selecting appropriate remedial strategies, and interacting with LSRPs. We guide clients through regulatory compliance and help achieve closure of environmental cases in order to obtain a Response Action Outcome (RAO).

Our attorneys provide strategic advice on developing and implementing cost-effective remedial actions, which include the evaluation of various cleanup options such as utilizing institutional controls and engineering controls. We also assist clients with identifying issues like vapor intrusion and its impact on indoor air quality.

A key aspect of brownfield redevelopment is minimizing future environmental liability. We help clients utilize liability protections afforded by state and federal laws, such as "innocent purchaser" and bona fide prospective purchaser defenses. We also have specialized expertise in the negotiation of environmental insurance policies to further mitigate risk.

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Experience

Representative Matters

- Served as environmental counsel on the remediation and redevelopment of the former General Motors assembly plant in Linden, including regulatory strategy, brownfield remediation, and state incentive negotiations. Secured a multi-million-dollar redevelopment grant and obtained full reimbursement approval from state authorities as the project generated significant tax revenue through national retail tenancy.

Insights & More

Client Alerts

NJDEP's New Site Remediation Rule Proposal Contains Controversial New Reporting Requirements
3.10.25

The New Jersey Economic Recovery Act of 2020: An Overview of the Brownfields Redevelopment Incentive Program
3.29.21

Publications

Brownfield Redevelopment Initiatives: Federal and Selected State Developments
2013 (updated since 1987)

Brownfields – A Comprehensive Guide to Redeveloping Contaminated Property
2010

Seminars & Events

Site Remediation
3.26.25

The Impact of Environmental Law on Real Estate and Business Transactions: Brownfields and Beyond
1987- forward