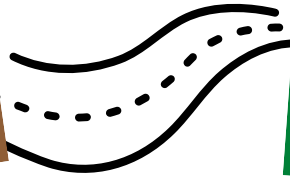


Transforming our

TOXIC LEGACY

Into a

JUST TRANSITION



New York State’s legacy of industrial manufacturing has been the backbone of thousands of hard working families across the State. For generations, workers have earned quality wages and benefits from hundreds of manufacturing plants thanks to hard won labor protections throughout the 20th century. At the same time, communities across the state, especially poor and working class communities and communities of color, have had to bear the burden of industry’s toll on public health and the environment. As New York moves towards a more green economy we need better hazardous waste remediation programs to guarantee that our communities aren’t left behind.

WHAT IS THE NYS

BROWNFIELD CLEANUP PROGRAM?

- The Brownfield Program is a voluntary program where a new land owner or developer decides that they want to build something new and needs to clean up the toxins on the site to do it.
- In the Brownfield CleanUp Program, or BCP, the new developer pays to clean up the site but is then given New York State tax credits and grants from our tax dollars to reimburse them for the clean up costs.
- The Brownfield Program is intended for future development by a private company or organization. What the developer plans to build determines how thorough the cleanup is. For example, if the developer wants to build a housing project on a BF site, that is a different level of cleanup needed than say another factory or gas station.

THE PROBLEM

- Despite previous reforms of the program, sites often still sit in limbo for years, while community health is put at risk.
- The program also allows an escape for polluters to avoid clean up liability by not providing strong mechanisms for cost recovery from responsible parties.
- Though this program is funded by the public, it does not require developers to pay family sustaining wages because it is currently not considered under the definition of “public work”.
- Community members who desire a seat at the decision making table are not able to get their questions answered and their voices heard under the current BCP program. By leaving out communities, developers and the NYSDEC miss out on a wealth of knowledge on BCP site histories.

OUR SOLUTION

- A requirement for developers to include a plan to establish a community advisory group (CAG) for the site. A Community Advisory Group (CAG) is made up of representatives of diverse community interests. A CAG is designed to serve as the focal point for the exchange of information among the local community, the developer and the Department of Environmental Conservation.
- A clause that any site would be ineligible for the program if there is a liable Potentially Responsible Party (PRP) able to provide cost recovery. A PRP is a person, firm or unit of government that may be financially responsible for site remediation. This clause would reduce the potential for responsible parties to avoid clean up liability and cost recovery, thus reducing the burden on taxpayers.
- Extend the definition of ‘public work’ to the BCP Program.

Right now New York has an opportunity to fix the environmental justice, public health and worker protection loopholes in New York’s Brownfield Cleanup program. New Yorkers deserve a return on our bold investment. We deserve a guarantee that when we invest in remediation programs, they are comprehensive, transparent, and increase the wealth of our communities.

