

Green Remediation Requirements

NJEDA Brownfields Redevelopment Incentive Program (BRIP)

Guidance Document for BRIP Program Participants
2023

Overall Description of the Program

Established by the New Jersey Economic Recovery Act of 2020 (ERA), the Brownfields Redevelopment Incentive Program (BRIP) is a \$300 million tax credit program designed to compensate developers of redevelopment projects located on brownfield sites for remediation costs. The NJ Economic Development Authority (EDA) administers this program with technical assistance from NJ Department of Environmental Protection (DEP).

BRIP covers specific costs associated with brownfield remediation and redevelopment, including the investigation and remediation of environmental contamination, as well as building and structural remediation activities. Structural remediation refers to physical structures (walls, I-beams, pipes, etc.) which could be decontaminated, abated for asbestos or paint or demolished. Tax credits will be awarded upon completion of remediation activities and all certifications of completion for remediation and redevelopment have been met (such as a tax clearance certificate, deed restriction recorded, agencies submittals, prevailing wage reports, and any additional information required for review).

The enabling act that establishes BRIP requires redevelopment projects in the program to comply with green building standards established by the Authority. The purpose of this document is to establish these standards¹. Since BRIP is for remediation of brownfields to prepare them for future construction, the focus of the BRIP program will be on activities to encourage green remediation activities to prepare the site for future vertical construction.

Redevelopment Projects that include construction of structures in addition to the remediation are required to satisfy this manual and EDA's "Green Building Standards" Guide.²

NJEDA will review projects for green remediation compliance at the Pre-Redevelopment stage and at the time of certification of completion of remediation. If the Redevelopment Project includes construction of structures in addition to remediation, the NJEDA will also review the project for compliance during the post-remediation stage.

The applicant will include as part of their application to the BRIP, a description of how the minimum environmental and sustainability standards are to be incorporated into the proposed redevelopment project.

¹ The NJEDA "Green Remediation Requirements" document has been prepared in accordance with the green building manual prepared by the Commissioner of Community Affairs pursuant to section 1 of P.L. 2007, c. 132 (C.52:27D-130.6), which has been posted at <https://greenmanual.rutgers.edu/>.

² The NJEDA "Green Building Standards" Guide has been prepared in accordance with the green building manual prepared by the Commissioner of the Department of Community Affairs pursuant to section 1 of P.L. 2007, c. 132 (N.J.S.A. 52:27D-130.6), which has been posted at <https://greenmanual.rutgers.edu/>.

Submitting a Pre-Redevelopment Review

Upon application approval, EDA will require that a project's specific Green Remediation Plan (GRP) be submitted the sooner of six (6) months following application approval (when the first project status report is due) or upon the applicant's request for a redevelopment agreement. The GRP is to be submitted via email to greenbuilding@njeda.com with the name of the project in the subject line. The email should also include the following information:

- EDA P #:
- Pre-Redevelopment or Post-Redevelopment Review:
- Technical Contact Info (LSRP/Licensed NJ Professional Engineer):
- Project Name:
- Project Address:

All GRPs should include the following components:

1. A signed letter from the Applicant (on letterhead) outlining the project size and scope.
2. A signed letter from a Licensed Site Remediation Professional (LSRP) or a signed and sealed letter from a licensed NJ Professional Engineer (please rub graphite on the seal so it's visible when scanning), detailing the scope of work and plan in the approved application for the project including the following:
 - a. Type of project with total area of the project (square footage or acreage) and metrics on the remediation (i.e., demolition, soil removal).
 - b. The acceptable measure/BMP identified in the Table 1 below.

The submission of this GRP along with the backup documentation identified in Table 1 will start the Pre-Redevelopment Review process.

During the Pre-Redevelopment Review, EDA will evaluate the project specific GRP for compliance with acceptable measures and best management practices (BMPs). EDA will then either approve the plan or advise applicants as to the most applicable plan amendments to satisfactorily achieve the standards for BRIP. Once all submissions have been reviewed and approved, a project will receive an approved review letter clearly stating that project has met the green pre-redevelopment requirements of the program.

Since this is a competitive program, EDA's Green Building staff will not be available to answer questions about specific projects when the competition window is open. Applicants are advised to channel questions and information through their design professional charged with planning and executing the plan.

Project design documents should not be finalized by the applicant until EDA has reviewed and approved the pre-redevelopment GRP.

Table 1: Green Remediation Requirements for the BRIP

Category No.	Category Description	Acceptable Measure/Best Management Practice (BMP)	Proof of Compliance
1	Salvage, reuse, and recycle uncontaminated materials	Deconstruction plan with numeric recycling and reuse goals based on a site survey including photographs. This deconstruction plan will need to be consistent and integrated into the demolition permit/plan requirements from the municipality. The deconstruction plan will identify the recycling/reuse centers to be used for the project.	Signed and sealed completion certification by a NJ PE or LSRP (signed only) that the work has been completed in accordance with the deconstruction plan including proof of recycling records.
2	Soil reuse	BMP for using onsite or nearby sources of fill material	Signed and sealed completion certification by a NJ PE or LSRP (signed only) that the work has been completed in accordance with the BMP.
3	Landscaping	BMP to consider -minimize soil and habitat disturbance during site work -use native vegetation where feasible -incorporate green infrastructure such as bioswales into remedial action plan -re-vegetate excavated or disturbed areas in a timely manner	Include updates on BMP in 6-month progress reports. Report on final landscaping in completion report that will be certified by the project LSRP.

Progress Reports

Developers will provide status updates on the implementation of the approved green remediation plan in the 6-month progress reports required for BRIP.

Submitting for a Post-Remediation Review for Final Certification

Once EDA approves the green remediation plan, the applicant will be expected to execute the plan as approved. To ensure the plan was executed as approved, EDA will require a signed letter from the project LSRP or signed and sealed letter from a NJ professional engineer certifying that the completed project meets the details of the approved green remediation plan and all green redevelopment measures/BMPs identified in the approved plan are installed and/or implemented. Modifications to the plan must be approved by EDA before the work is implemented.

Green Remediation Compliance Approval Form

NJEDA Brownfields Redevelopment Incentive Program (BRIP)

PROJECT NAME:

EDA PROJECT #

REQUIRED REDEVELOPMENT COMPONENTS CHECKLIST

Salvaged, Reuse, and Recycle Uncontaminated Materials

Did the Redevelopment Project include salvaged, reuse, and recycle uncontaminated materials?

Yes No

If Yes, submit signed and sealed completion certification by a NJ PE or LSRP (signed only) that the work has been completed in accordance with the deconstruction plan including proof of recycling records.

Soil Reuse

Did the Redevelopment Project include reuse of on-site soil?

Yes No

If Yes, submit signed and sealed completion certification by a NJ PE or LSRP (signed only).

Landscaping

Did the redevelopment include NEWLY installed landscaping?

Yes No

If Yes, provide updates on BMP in 6-month progress reports. Report on final landscaping in completion report that will be certified by the project LSRP.

Post-Remediation Redevelopment Phase

Does the Redevelopment Project include construction of structures in addition to the remediation?

Yes No

If Yes, the Redevelopment Project is required to also comply with EDA's "Green Building Standards" [Guide](#). Depending on the specific project and timelines, the completion of the Redevelopment Project may occur after certification of completion of remediation.

Only answer the following questions, if you answered "Yes" to the previous question:

1. Has the Redevelopment Project been completed? Yes No
2. Has a Green Building Plan been approved by EDA? Yes No
3. Is the project in compliance with the EDA approved Green Building Plan? Yes No

-----*(FOR NJEDA STAFF OFFICE USE ONLY)*-----
SUBMITTED COMPLIANCE DOCUMENTATION

RECEIVED & REVIEWED DOCUMENTS

- | |
|---|
| <input type="checkbox"/> Salvaged, reuse, and recycle uncontaminated materials: LSRP or NJ PE Certified Letter and Photo Documentation plus proof of recycling records |
| <input type="checkbox"/> Soil Reuse: Soil reuse records |
| <input type="checkbox"/> Landscaping: Progress Reports, LSRP Certified Letter and Photo Documentation of completion |

PRE REDEVELOPMENT APPROVAL STATUS

- | |
|--|
| <input type="checkbox"/> Approved <input type="checkbox"/> Pending |
|--|

**Predevelopment Approval is contingent on receiving the completed documents*

POST REMEDIATION DOCUMENTATION / SUBMISSIONS NEEDED (AT COMPLETION OF REMEDIATION PROJECT)

1. **PROJECT ENGINEER/LSRP:** Submit a signed and sealed letter confirming project was completed to specifications outlined in the approved predevelopment green remediation plan. If changes occurred during construction, submit contractor as-built specifications and subsequent site impacts.

POST REMEDIATION APPROVAL STATUS

- | |
|--|
| <input type="checkbox"/> Approved <input type="checkbox"/> Pending |
|--|

POST REDEVELOPMENT APPROVAL STATUS

Redevelopment Projects that include construction of structures in addition to remediation, are required to comply with the EDA's "Green Building Standards" Guide, in addition to the EDA's "Green Remediation Requirements."

- | |
|--|
| <input type="checkbox"/> Approved |
| <input type="checkbox"/> Pending |
| <input type="checkbox"/> Not Applicable (List Reason) |
| <input type="checkbox"/> The Redevelopment Project was a remediation-only project |
| <input type="checkbox"/> Other (Explain): _____ |