

Brownfield Remediation & Redevelopment

Before redeveloping an environmentally impacted property you need to know the potential environmental risks and benefits. Avoiding regulatory sand traps requires a thorough understanding of the challenges that lie ahead. You should also be familiar with the full range of government incentives and risk allocation vehicles that encourage beneficial reuse.

Mintz Levin's nationally recognized environmental lawyers combine a deep knowledge of environmental statutes and regulations with extensive transaction and litigation experience to provide clients with practical guidance. We have represented countless sellers, purchasers, and redevelopers of environmentally impacted properties in New England and across the United States, and have significant experience determining, explaining, and negotiating terms for allocating environmental risks.

From decades of experience we know that risk management strategies must be carefully calibrated to fit the specific circumstances of each case, including the magnitude of risk, the importance of precedent, and relationships among the stakeholders, to name a few. Applying a practical, results-oriented approach, our attorneys work closely with our clients to help define their business objectives and develop legal and business strategies and solutions that advance their agendas.

Quick Facts

- One of the largest environmental law practices in New England
- Recognized as a leader in environmental law by *Chambers USA* every year since its inception
- Lawyers also recognized by *Best Lawyers in America*, *Guide to the World's Leading Environmental Lawyers*, and the *Which Lawyer? Yearbook*
- Frequently consulted by regulators and trade associations on cutting-edge issues
- Senior lawyers include two former general counsel of government agencies

Representative Matters

- Represented and continue to represent a national retail client in 40 US states in connection with acquiring, remediating, developing, and selling contaminated properties. Work includes negotiating cleanup responsibility among sellers, landlords, and other responsible parties against the background of state environmental statutes – including the New Jersey Site Remediation Reform Act – and working with responsible third parties and their attorneys and environmental consultants, the client’s environmental consultants, and state and federal environmental agencies.
- Represented a property owner in New York City in developing a remediation plan acceptable to the state environmental agency and allowing cost-effective redevelopment while simultaneously recovering costs from several companies that formerly were operators and owners of gasoline stations and underground storage tanks at the property.
- Secured local and state approvals for transit-oriented housing redevelopment of a historic waterfront industrial site in Salem, Massachusetts, on behalf of a major national rental apartment developer. The project involved significant coordination with the Massachusetts Bay Transportation Authority (MBTA) and the Massachusetts Highway Department to implement project pedestrian, bicycle path, and other waterfront recreational amenities integrated with the adjacent MBTA North Shore commuter rail line and station on one project boundary and a bypass road on the other project boundary.
- Represented a global biopharmaceutical manufacturer in connection with the acquisition of a portion of a former military base located in Devens, Massachusetts, for the construction of a large-scale, multiproduct bulk biologics manufacturing facility. This new facility led to the creation of approximately 550 jobs.

Representative Clients

- Bristol-Myers Squibb
- CVS Caremark
- GE
- Nestlé Waters North America
- Northeast Utilities
- Spectra Energy

Our Services

We counsel clients in both the public and private sectors on a full range of Brownfields issues:

- The impact of changing environmental laws on real estate and other business transactions
- Environmental assessment and remediation strategy
- Environmental insurance, state and Environmental Protection Agency loans and grants, Brownfield reimbursement programs, Department of Housing and Urban Development financing, and other financing options
- Securing tax advantages
- State and federal permit requirements

Isn't it time to connect?

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It's time.