

## ASK A LAWYER

# N.J. can help you pay for site cleanup

**Q. How do I legally qualify for the brownfields money that New Jersey makes available to help pay to clean up contaminated properties?**

The Brownfield and Contaminated Site Remediation Act was enacted by the Legislature for the purpose of bringing brownfields properties back into productive use.

A brownfields property is one that is being underutilized because it is contaminated with hazardous substances. If you can

demonstrate to the Department of Taxation and the Department of Commerce and Economic Development that your proposed future use of the site will generate tax revenues, they will enter a redevelopment agreement with you that will allow you to credit a state fund with those tax revenues.

The state will then reimburse you from that state fund for up to 75 percent of the cost of the cleanup. The taxes that are eligible to be used for this purpose

include state sales tax and corporate tax. So, for example, if you have a contaminated property that you plan to redevelop for retail purposes, the sales tax generated by those retail operations may be made available to reimburse up to 75 percent of your cleanup costs.

The brownfields monies sometimes make possible projects that would otherwise not be feasible.

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*the environmental law department at Cole, Schotz, Meisel, Forman & Leonard, P.A., the largest law firm in Bergen County. He can be reached at [gduus@coleschotz.com](mailto:gduus@coleschotz.com). This is not intended to be legal advice, which can only be given after the attorney understands the facts of a particular matter and the goals of a client.*

Do you have a business question for a lawyer? Send it to [BusinessNews@northjersey.com](mailto:BusinessNews@northjersey.com).