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By Nicole R. Moshang, Manko, Gold, Katcher & Fox, LLP

Building green starts from the dirt up

There is no doubt that green building construction is on the rise, as hardly a day passes without hearing about a new green building project. Indeed, the increasing trend in green building construction confirms the developer industry's recognition of the benefits and incentives that can be generated by building green. This green trend is also now being extended to the methods by which parties remediate contaminated sites. In fact, federal and state agencies are beginning to encourage developers to incorporate sustainable practices in the revitalization effort as early as the initial cleanup stages so that the cleanup will also serve a role in the overall sustainability of the planned development. As incentives for incorporating sustainable practices into site remediation activities evolve, developers may in turn begin realizing the benefits of "going green" long before a proposed green building's foundation is even laid.

Nicole Moshang

While formal guidance on how best to incorporate sustainable practices into site remediation activities has yet to be issued, on the federal level, the United States Environmental Protection Agency (EPA) recently published a technology primer entitled, "Green Remediation: Incorporating Sustainable Environmental Practices into Remediation of Contaminated Sites," which sets forth opportunities for reducing any negative environmental impact (referred to as the "footprint" of remediation), which may be associated with cleanup activities at contaminated sites. The primer defines green remediation as, "the practice of considering all environmental effects of remedy implementation and incorporating options to maximize net environmental benefit of cleanup actions."

The consideration of environmental effects of remedy implementation requires evaluating several core elements of a cleanup project, identified in the primer as: (1) energy requirements of proposed treatment systems; (2) air emissions from cleanup equipment; (3) water requirements of treatment processes and impacts on water resources; (4) land and ecosystem impacts; (5) material consumption and waste generation; and, (6) long-term stewardship actions such as the use of renewable energy systems to power long-term cleanup activities on redeveloped land. While an evaluation of these elements will help determine the most appropriate site-specific green remediation strategies to employ, the primer further suggests that remediators consider the ultimate reuse goals of the site in the cleanup design process, so that cleanup and reuse objectives can be integrated. By considering reuse objections in designing a cleanup plan, items such as infrastructure needs, data gathering and sharing, earth moving activities, and material reuse, may be conducted in a manner that compliments both cleanup and reuse plans, resulting not only in a more cost-effective cleanup, but also in a maximization of sustainability practices throughout the entire redevelopment project.

Given the potential benefits of incorporating green remediation strategies into site remediation activities, it is likely that, similar to the steady development of green building incentives, green remediation incentives will also continue to evolve. Of course, also similar to some of the issues green building developers face in substantiating their sustainability practices and claims, until objective standards are developed to qualify green remediation practices, due care must be exercised to make certain that any representations regarding the sustainability of cleanup activities can be substantiated in the future in the event such practices are challenged. Indeed, it would be unfortunate if the environmental objectives sought to be accomplished by employing green remediation strategies are later called into question and insufficient data exists to substantiate any sustainability claims.

Nicole R. Moshang is a partner with Manko, Gold, Katcher & Fox, LLP. ■