



Program Update

Brownfield Cleanup Program

BCP Generations and Certificate of Completion (CoC) Issuance Dates

There have been three iterations, or “generations,” of the Brownfield Cleanup Program (BCP) since its inception. Each of the three generations are the result of the passing of a bill either enacting the law, or making changes to the law in an effort to improve the program. While the changes to the law have tended to be subtle in most respects, knowing which generation your project is in can be crucial to the successful completion of the program. The generations are defined as follows:

Generation 1 (Gen1): Sites with approved applications* through June 22, 2008;

Generation 2 (Gen2): Sites with approved applications between June 23, 2008 and June 30, 2015; and,

Generation 3 (Gen3): Sites with approved application dates of July 1, 2015 through December 31, 2022.

***Approved Application is the date that the state sends a letter to the Applicant approving their application.**

One of the more recent changes made to the Brownfield law in 2015 established a mandatory completion date (i.e., the date by which the Certificate of Completion must be issued) for Generation 1 and 2 sites of **December 31, 2017** and **December 31, 2019**, respectively. Generation 1 and 2 sites that do not attain their respective December 31st completion dates become subject to the Generation 3 Brownfield regulations, including the [different tax credit structure](#) that is part of the Generation 3 changes.

For Generation 2 sites there is a twist - initially, the December 31, 2019 date was considered applicable to all Generation 2 sites; however, it has since been brought to our attention that there is a subset of Generation 2 sites that are not subject to the 2019 completion date. Specifically, Generation 2 sites that have a Brownfield Cleanup Agreement (BCA) that was signed by the Department on or after July 1, 2015, are not subject to the 2019 mandatory completion date. These sites, as well as all Generation 3 sites, are subject to a program-wide March 31, 2026 completion date.

The following is a list of 38 Generation 2 sites, that the Department is aware of, that meet the criteria discussed above. It is possible that there are additional sites, so if the completion date becomes significant to a site you are involved with, be sure to check the date the BCA was signed by the Department.

One final note: the Department still expects that all sites in the BCP will adhere to their approved schedule, and reserves the right to dismiss parties from the program in the event of repeated and/or significant delays.

Generation 2 BCP Sites NOT Subject to December 31, 2019 Completion Date

C203052	Former Mugler Shoring Inc.
C203077	Enclave On 241st Street Development
C224199	260-262 Van Brunt, LLC
C224209	175-225 3rd Street
C224210	Former Universal Scrap Metal
C224212	1640 Flatbush Avenue
C224213	Red Hook 3 Properties
C224214	Red Hook 4 Properties
C224215	610 Smith Street
C224216	432 Rodney Street
C224217	Tomat Service Station
C224218	Former Carter Spray Finishing Corp.
C224219	450 Union Street
C224220	473 President Street
C224221	President Street Properties
C224222	563 Sackett Street
C224225	335 Bond Street
C224227	22-36 Second Avenue
C231093	515 West 18th Street
C231094	509 West 34th Street
C231095	438 11th Avenue
C231096	267-273 West 87th Street
C231097	538-544 Hudson Street
C231098	Christopher and Weehawken Streets
C231099	156-162 Perry Street
C241171	Queens Plaza North
C241173	ABC - Block 25
C241174	ABC - Block 26
C241175	ABC - Block 27
C353014	Adelaar
C360101	City DPW Yard
C645048	Kiwanis Property
C645052	MCYC Property
C704057	Frederick Street
C734143	128 Spencer Street
C819021	Ellicott Station
C851049	Former Corning Hospital
C915295	240 Kensington Avenue