

# THE NORTHEAST BROWNFIELDS DEVELOPMENT FORUM

## SESSION DESCRIPTIONS

Philadelphia Marriott / Philadelphia, Pennsylvania  
February 12, 2008

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### **Educational Session I – Brownfields Redevelopment: Buried Treasure or Pandora’s Box**

9:45 – 10:45 am

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Moderator:

- **Jill Gaito**, Deputy Secretary, PA Department of Environmental Protection

Panelists:

- **Edmund Campbell**, Vice President, O'Neill Property Group
- **Gerry Kirkpatrick**, Principal Geoscientist, Environmental Standards
- **Jonathan Spergel**, Partner, Manko, Gold, Katcher and Fox

#### **Obstacles and Opportunities – The Bishop Tube Case Study**

Bishop Tube was founded in 1842 for the manufacture of gold and platinum alloys for technical and industrial uses. It was also used as a metal fabrication facility in the 1950s. However, after a number of different owners, operations stopped in 1999, leaving behind a legacy of contamination that included TCE and heavy metals.

Since 1999, the Pennsylvania Department of Environmental Protection (PADEP) has been working to investigate and assess the site contamination, maintain a safe water supply for an affected nearby resident, develop remediation alternatives, and facilitate public participation in selecting a remedial plan. To date, well over a million dollars of DEP funding has been used to get the property cleaned up and positioned for reuse.

The 13.7-acre Bishop Tube property is currently owned by Constitution Drive Partners (CDP), who purchased the site in 2005 from the Chester County Redevelopment Authority. CDP’s intent is to redevelop the property for commercial or light industrial use.

As part of the site purchase agreement, CDP entered into an unprecedented cost sharing partnership with DEP whereby CDP will finance the cleanup of the contaminated soil and DEP will continue to address and finance the cleanup of the contaminated groundwater. This arrangement will enable better coordination between the cleanup actions and the developer’s plans to renovate the site for productive use.

During the remediation and redevelopment activities, CDP is “showing” the property to prospective tenants and purchasers. There is also a local citizen action committee that has been vocal and actively engaged in the project as well.

This cleanup and redevelopment effort has been about as complicated as it gets. Progress is not going badly, but getting (and keeping) everyone rowing in the same direction has been a challenge.

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## Educational Session II – Overcoming Obstacles to Brownfields Development

11:00 am – 12:00 noon

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Moderator:

- **Kristeen Gaffney**, EPA Region 3 Land Revitalization Program

Panelists:

- **Dan Brown**, Partners Environmental Consulting, Inc.
- **Robert Buccini**, President, Buccini Pollin Group
- **Jeff Flynn**, Deputy Director, Wilmington Office of Economic Development,
- **Bert Sacco**, Civil Engineer, TPA Design Group, New Haven, CT
- **Kathy Stiller Banning**, Program Manager, DNREC's Site Investigation and Restoration Branch

### Overcoming Obstacles to Brownfields Development

While brownfield redevelopment has come a long way since the early 1990s when the term was first coined, there are still many misconceptions about the feasibility of redeveloping brownfield sites. Join this session to hear how potential hurdles were overcome at three different sites; guess how you would have handled some of the surprises along the way; and get new strategies for increasing the comfort level of your buyers, tenants and lenders at brownfield sites.

#### *Presentation 1 – Coordinating Federal and State Cleanup Requirements in Wilmington to Ensure Success – Robert Buccini and Kathy Stiller Banning*

The Howard Street property was the site of historic filling which resulted in arsenic, lead and PAH contamination. From the mid 1950s through 2005, the site was used for a scrap metal processing yard and recycling facility. The scrap metal business included a bailer area where cars and other scrap metal resulted in PCB contamination. The site was purchased by the Riverfront Development Corporation and is under contract to be purchased by the Buccini Pollin Group (BPG). BPG will be constructing a shopping and retail center. The anchor store for the site is a Shop Rite grocery store. This is the first new grocery store to be built in the City of Wilmington in several decades. The project will be known as the Christina Crossing Retail Center and will include additional retail space. The project has overcome many environmental challenges and has the first hybrid approach to cleaning up PCBs simultaneously meeting both federal and state requirements. The approach includes both a self-directed cleanup and a risk based cleanup under TSCA as well as a risk based cleanup of the arsenic, lead and PAH contamination. Current and future owners of the property will be responsible for long-term maintenance and care of the remedy, including the asphalt cap and groundwater monitoring.

#### *Presentation 2 – The Long Road from Concept to Shopping Mall (Brass Mill Center) Waterbury, Connecticut – Bert Sacco*

The Scovill Brass site in Waterbury, Connecticut is now a beautiful 1.2 million-square foot retail center employing over 2,000 people and home to Macy's, JC Penney, Sears, Barnes & Noble, Office Max, Toys R Us, and 80 more shops and restaurants. However, getting there was no piece of cake. It took four years for all the necessary approvals but only 15 months to build. Numerous obstacles including contamination, soil issues, obsolete buildings, lead paint, oil

tanks, insufficient roads, an abused river and bad utilities, required extensive coordination with regulatory agencies at the local, state and federal levels. Engineering controls on the site included the coordination of placement of long-term monitoring wells, final site engineering design after placement of an engineered slurry wall, coordination with DEP on final location of paved surfaces, and moving a reach of the Mad River. The one million square foot mall opened in September 1997 and the 200,000-square foot strip center in April 1998. The project was awarded a Connecticut Real Estate Award for Retail Development by the Real Estate Exchange.

*Presentation 3 – Don't be Afraid of RCRA:*

*The Shops of White Oak Village, Richmond, Virginia – Dan Brown*

The former Lucent Works circuit board manufacturing facility in Richmond, Virginia will soon be reborn as a 900,000-square foot shopping venue, hotel and dining complex called *The Shops at White Oak Village*. It also had the distinction of being one of the largest RCRA waste generators in the state being cleaned up under the RCRA Corrective Action program. This redevelopment includes several unique facets and demonstrates that if it could be done here, it can be done on almost any site. A strategy was developed for a non-PRP to seek regulatory approval and to protect future buyers, tenants and lenders from future liability. Although a remedy to address groundwater contamination was implemented prior to the property transaction, site redevelopment had to accommodate the continued operation and maintenance of the long term remediation system. The developer, Forest City Commercial Group is pursuing Leadership in Energy and Environmental Design (LEED) certification for the center.

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**Educational Session III – Brownfields ‘Gap’ Financing**

1:15 – 2:15 pm

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Moderator:

- **Colleen Kokas**, NJ Department of Environmental Protection, Assistant Commissioner's Office, Office of Brownfield Reuse

Panelists:

- **William Ahlert**, VP, HDR Engineering, Inc.
- **Michele Christina**, Principal, Brownfield Redevelopment Solutions, Inc.
- **Holly Edinger**, Land Recycling Coordinator for the Lehigh Valley Economic Development Corporation
- **Brett McGovern**, Sr. Underwriter, XL Insurance-Environmental Unit

**Brownfield Gap Financing and Risk Management**

This session will use case studies to explore the financial and liability gaps facing brownfields development. Financial gaps include the additional costs brownfields developers incur for site assessment, remediation and pollution controls. We will take a look at options and tools available to finance these additional costs through public sources. Brownfields developers also have to deal with liability risk mitigation. We will outline how pollution liability can be transferred and mitigated using environmental insurance.