



NEW YORK STATE SENATOR

Brian Kavanagh

Statement by Senator Kavanagh and Assemblymember Lee on the Governor's Veto of their Legislation to Protect Communities During Clean-Ups of Toxic Brownfield Sites

BRIAN KAVANAGH December 18, 2024

| ISSUE: **BROWNFIELD CLEANUP PROGRAM**



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Senator Brian Kavanagh and Assemblymember Grace Lee released the following joint statement:

“We are extremely frustrated and disheartened by the veto of our bill, [S7195B/A7396](#). This legislation is necessary to ensure that our communities are protected during the cleanup of certain especially hazardous brownfield sites, many in predominantly working-class communities of color, carried out by private developers and funded by the State. It passed unanimously in both houses of the legislature.

“Contrary to the veto message, our legislation would have no meaningful fiscal impact on the State, but would expand access to a provision of the existing Brownfield Cleanup Program that provides communities with technical assistance grants using a modest share of the funds granted to developers. The existing law allows community organizations to apply for grants of up to \$50,000 per site, but only at the discretion of the Department of Environmental Conservation, regardless of how toxic the site is or where it’s located. This legislation would require the developer to provide such a community share whenever the site poses a significant threat to public health or the environment or is located adjacent to a school or day care center. Communities would then have the resources and expertise necessary to understand the cleanup process from the outset, hiring health and safety experts and actively participating in decisions potentially affecting their health and environment.

“This veto sends a troubling message: that informed public participation in a process that affects the health and safety of under-resourced communities is not a priority. We are deeply disappointed with this outcome, but remain committed to fighting for environmental justice and the well-being of all New Yorkers. Together, we will seek new avenues to ensure that our communities receive the support and protection they need and deserve.”

RELATED LEGISLATION

2023-S7195B

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Vetoed By Governor
- Signed By Governor
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Relates to the availability of technical assistance grants in brownfield site remedial programs

May 18, 2023

Senate Floor Calendar

Sponsored by **Brian Kavanagh**

Do you support this bill?