

# Liability transfer provided key element for Brownfield redevelopment

Buffalo, New York



**Client:** QLT Buffalo, LLC

**Date:** 2005-present

**WSP Contact**

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## Overview

Our client, QLT Buffalo, LLC., was a site-specific transaction company created to manage, remediate and assume liability for the environmental conditions at the properties. The program structure allowed the site to be entered in the New York State Brownfield Cleanup Program and qualify for tax incentives that differed 85 percent of the total cleanup cost.

## Our client's challenge

Property redevelopment required a solution that protected all parties against the liability of the environmental conditions at the site. Past operations at these properties included a manufactured gas plant, plumbing supply, and other miscellaneous light manufacturing operations.

## Our approach/services

WSP individually established and uniquely tailored a liability transfer to address both the site's known and

unknown environmental liabilities. The liabilities for all of the properties were transferred for a predefined fixed sum that was placed in a Trust Fund prior to initiation of the cleanup. WSP, through QLT Buffalo, completed the site investigation, remedial design, remedial actions and a groundwater monitoring program in less than 10 months, allowing initiation of the construction of a LEED-certified corporate campus.

## Outcome

The liability transfer structure provided a solution that addressed ongoing remediation obligations and protected both the client and the future occupants of the property related to the contamination.

As WSP completed the excavation and confirmatory sampling, designated areas of the site were released to the developer and building construction began. Once completed, this project allowed the client to access the tax-benefits of the New York Brownfield program. Construction of the LEED-certified 350,000-square-foot building was completed and now houses the HealthNow Headquarters.