

ALERTS

Environmental Law Alert - Promoting Renewable Energy Redevelopment Of Brownfields

May 2, 2014 | [Atlanta](#) | [Chicago](#) | [Columbus](#) | [Delaware](#) | [Elkhart](#) | [Fort Wayne](#) | [Grand Rapids](#) | [Indianapolis](#) | [Los Angeles](#) | [Minneapolis](#) | [South Bend](#)

In 2008, the United States Environmental Protection Agency (USEPA) launched its Re-Powering America's Land Initiative with the stated goal of encouraging renewable energy development on current and formerly contaminated properties, landfills and mine sites (brownfields). A centerpiece of the initiative is its informational and promotional aspect: USEPA has combined data regarding brownfields locations with information about regional and site-specific renewable energy potential to create a suite of mapping and screening tools useful to determine whether a renewable energy project is feasible at a particular site.

Additionally, the initiative offers technical support in the form of general feasibility studies, fact sheets and siting best management practices focused on solar, wind, biopower and geothermal energy sources.

In 2010, USEPA issued an initial draft action plan to outline efforts to engage interested parties and to track progress in developing renewable energy resources at brownfields. While there have been some successful projects developing renewable energy resources at brownfield sites throughout the country – such as the Maywood Solar Farm built on a Superfund site in Indianapolis – there is a general consensus that the initiative has not yet realized the full potential for renewable energy resources at brownfields. To further refine its implementation of the Initiative, USEPA has just announced that it is soliciting comments on its Draft Action Plan 2.0; comments are due to USEPA by May 30, 2014.

Left unaddressed by USEPA are the challenges of monetizing brownfield renewable development projects even beyond environmental, permitting and siting issues. Each project will face different market conditions and regulatory commissions in each state. As such, successful renewable energy development on brownfield sites requires significant pre-project planning and interface with regulators.

If you are interested in learning more about renewable energy redevelopment of brownfields or in discussing or commenting on the Re-Powering America's Land Initiative Draft Action Plan 2.0, don't hesitate to contact a member of our Brownfields & Environmental Transactional Diligence practice group, such as David Gillay (david.gillay@btlaw.com) and Timothy Haley (timothy.haley@btlaw.com), or our Renewable Energy practice group, William Ewing (william.ewing@btlaw.com).

You can also visit online at <http://www.btlaw.com/environmental/>.

©2014 Barnes & Thornburg LLP. All Rights Reserved. This page, and all information on it, is proprietary and the property of Barnes & Thornburg LLP. It may not be reproduced, in any form, without the express written

RELATED PEOPLE**David R. Gillay**

Partner

Indianapolis

P 317-231-7474

F 317-231-7433

david.gillay@btlaw.com

**William P. Ewing**

Partner

Atlanta

P 404-264-4050

F 404-264-4033

william.ewing@btlaw.com

RELATED PRACTICE AREAS

Brownfields and Environmental Transactional Diligence
Environmental

consent of Barnes & Thornburg LLP.

This Barnes & Thornburg LLP publication should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.