The Next Generation of Brownfield Properties from a Buyers Perspective

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Hypothetical Scenario #1

- A site was closed under Act 2 in the past with a remedy (environmental covenant and engineering control) in place for chlorinated solvents in soil and groundwater. During recent due diligence for a transaction, it is identified that fire fighting foam had been used at the Site. How would the new situation interface with the existing remedy for chlorinated solvents?
Hypothetical Scenario #2

- A site was previously closed under Act 2 and clean fill was imported onto the site under the old management of fill policy. Per the new policy the fill can stay in place. What would happen if the site gets redeveloped and some fill has to be exported from the site?
Hypothetical Scenario #3

- A site was previously closed under Act 2 (non-residential) and was sold to a new owner. The closure included an existing covenant as part of the remedy. The new owner wants to change the property use to residential. How are the existing covenants managed and along with the change to residential?
Questions
Thank You!

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