

INTRODUCTION TO REDEVELOPMENT OF COMMERCIAL REAL ESTATE

PROPERTIES UNDER THE GEORGIA BROWNFIELD PROGRAM

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GEORGIA BROWNFIELD

I. Background

The 1996 Georgia Hazardous Site Reuse and Redevelopment Act, also known as the “Georgia Brownfield Act,” codified at O.C.G.A. §§ 12-8-200–211, combined with a portion of the Ad Valorem Taxation Act of 2003, codified at O.C.G.A. § 48-5-1, *et. seq.*, are the heart of the Georgia Environmental Protection Division’s (“EPD”) Georgia Brownfield program, instituted in 2003.¹ The program provides limited liability and tax incentives for qualifying prospective purchasers of contaminated—or “brownfield”—real property to entice real estate investors to purchase, clean up, and develop these brownfield sites in Georgia.² The Georgia Brownfield Act has been amended to expand its reach four times, in 1998, 2002, 2005, and 2014.³ Under the program, prospective purchasers of brownfield sites are granted limited liability from third party lawsuits related to the site contamination, as well as a preferential tax assessment to help the purchaser recover the costs of the investigation and cleanup of the contamination.⁴ The City of Atlanta also has its own, less comprehensive Brownfields Program aided by federal funding.⁵ This memorandum, however, will focus on the EPD’s program.

II. “Brownfield”

The term “brownfield” generally refers to real property previously contaminated by hazardous substances which has been abandoned or is otherwise ripe for redevelopment. The

¹ *Brownfields Redevelopment in Georgia*, GA. DEP’T NAT. RESOURCES, ENVTL. PROTECTION DIVISION, available at <https://www.cclr.org/sites/default/files/Brownfield%20Redevelopment%20in%20Georgia%20Trifold%20Booklet.pdf>.

² See generally O.C.G.A. §§ 12-8-200 – 211; see also, *Georgia Brownfields Act*, GA. DEP’T. PUB. HEALTH, <https://dph.georgia.gov/georgia-brownfields-act>. (last visited June 13, 2017).

³ See Maria Brathwaite Souder, *Georgia Brownfields*, GA. ST. UNIVERSITY C. L. (Nov. 17, 2010), http://readingroom.law.gsu.edu/cgi/viewcontent.cgi?article=1023&context=lib_student.

⁴ *Brownfields Redevelopment in Georgia*, *supra* note 1.

⁵ *Brownfield Program*, CITY OF ATLANTA, <http://www.atlantaga.gov/index.aspx?page=382>. Currently, the City of Atlanta provides only the City of Atlanta / Invest Atlanta Brownfield Revolving Loan Fund (BRLF), which provides brownfield cleanup financing for eligible projects within the Atlanta city limits. *Id.* The loans provided by the BRLF fund the remediation required for site cleanup, which then allow redevelopment projects to go forward. *Id.* Funding for the program is provided by the U.S. Environmental Protection Agency. *Id.*

Environmental Protection Agency (“EPA”) defines a brownfield site as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”⁶ The Georgia Department of Public Health defines a brownfield site as “abandoned, idle, or underused industrial and commercial properties where redevelopment is hindered by real or perceived environmental contamination.”⁷ The Brownfield Act as codified in the Georgia Code does not contain a definition of what constitutes a brownfield site, but the section of the Georgia Code for Ad Valorem Property Tax, which is part of the Georgia Brownfield program, does contain such a definition.⁸ The section defines a brownfield property as “tangible real property” where there has been a “release of hazardous waste, hazardous constituents, and hazardous substances into the environment.”⁹ Under the statute, an eligible property must also meet all the requirements, discussed *infra*, of the Georgia Brownfield Act.¹⁰

III. Eligibility

The Georgia Brownfield program only applies to prospective purchasers,¹¹ thus, existing owners of brownfield sites cannot apply for the program.¹² Furthermore, prospective purchasers

⁶ *Overview of the Brownfields Program*, ENVTL. PROTECTION AGENCY, <https://www.epa.gov/brownfields/overview-brownfields-program>. (last visited June 13, 2017).

⁷ *Brownfields and Land Reuse*, GA. DEP’T. PUB. HEALTH, <https://dph.georgia.gov/brownfields-and-land-reuse>. (last visited June 13, 2017).

⁸ O.C.G.A. § 48-5-7.6 (“‘brownfield property’ means tangible real property where: (A) There has been a release of hazardous waste, hazardous constituents, and hazardous substances into the environment; (B) The director of the Environmental Protection Division of the Department of Natural Resources, under Article 9 of Chapter 8 of Title 12, the ‘Georgia Hazardous Site Reuse and Redevelopment Act,’ as amended, has approved and not revoked said approval of the prospective purchaser’s corrective action plan or compliance status report for such brownfield property; (C) The director of the Environmental Protection Division of the Department of Natural Resources, under Article 9 of Chapter 8 of Title 12, the ‘Georgia Hazardous Site Reuse and Redevelopment Act,’ as amended, has issued and not revoked a limitation of liability certificate for the prospective purchaser; and (D) The Environmental Protection Division of the Department of Natural Resources has certified eligible costs of remediation pursuant to subsection (j) of this Code section.”).

⁹ *Id.*

¹⁰ *Id.*

¹¹ O.C.G.A. § 12-8-202(b)(6). A prospective purchaser is a “person who intends to acquire a property interest in a property where there is a preexisting release or a person who has applied for a limitation of liability pursuant to this article within 30 days of acquiring such property interest in a property where there is a preexisting release.” *Id.*

¹² *See* GA. DEP’T. PUB. HEALTH, *supra* note 2.

cannot themselves have contributed to the release of hazardous substances on the brownfield site,¹³ have a familial, business, or other affiliation with a party responsible for the release of hazardous substances on the brownfield site,¹⁴ nor be in violation of the EPD enforcement authority.¹⁵ The EPD may grant a variance from these requirements for purchasers under certain conditions.¹⁶ In order for a property to be eligible for the program, the property must have a pre-existing release of hazardous constituents or petroleum,¹⁷ and any underground storage tank or state superfund program liens must be satisfied.¹⁸ Additionally, the property will *not* qualify for the Georgia Brownfield program if it is a federal superfund site, under federal cleanup orders, a currently permitted hazardous waste facility (as defined in O.C.G.A. § 12-8-62) that is subject to

¹³ *Brownfield Eligibility Form*, GA. DEP'T NAT. RESOURCES, ENVTL. PROTECTION DIVISION, available at https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BF%20Eligibility%20Form%2011-2014.pdf. (last visited June 13, 2017).

¹⁴ O.C.G.A. § 12-8-206(a). A purchaser cannot be “a person who has contributed or is contributing to a release at the property, or a relative by blood within the third degree of consanguinity or by marriage, an employee, shareholder, officer, or agent; or otherwise affiliated with the current owner of the property or any person who has contributed to a release at the property.” *Id.* The purchasing company also cannot be “a current or former subsidiary, division, parent company, or partner; or employer or former employer; or otherwise affiliated with the current owner of the property or any person who has contributed to a release at the property.” *Id.*

¹⁵ *Id.*

¹⁶ O.C.G.A. § 12-8-206(b) (“The director may grant a variance from the eligibility requirements contained in paragraphs (2), (3), (4), and (5) of subsection (a) of this Code section if the director finds that such criteria would render a prospective purchaser ineligible for a limitation of liability under this article, that no other qualified prospective purchaser has applied for a limitation of liability for the qualifying property, and that: (1) Such ineligibility would result in the continuation of a condition which poses a threat to human health and the environment; (2) The director would likely be required to perform the necessary corrective action using funds from the hazardous waste trust fund; and (3) In all probability, the director would be unable to recover the cost of the corrective action as provided in Code Section 12-8-96.1.”).

¹⁷ O.C.G.A. § 12-8-202(b)(3). Petroleum includes “crude oil or any fraction thereof (including gasoline, gasohol, diesel fuel, fuel oils including #2 fuel oil, kerosene, or jet turbine fuel) that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute.” *Id.* A pre-existing release means “a release, as such term is defined in paragraph (11) of Code Section 12-8-92, which occurred prior to the prospective purchaser's application for a limitation of liability pursuant to this article. The term ‘preexisting release’ includes but is not limited to release of petroleum even if such release is from an underground storage tank system as defined in paragraph (18) of Code Section 12-13-3.” O.C.G.A. § 12-8-202(b)(4).

¹⁸ O.C.G.A. § 12-8-205(2) (“Any lien filed under subsection (e) of Code Section 12-8-96 or subsection (b) of Code Section 12-13-12 against the property shall be satisfied or settled and released by the director pursuant to Code Section 12-8-94 or 12-13-6, and satisfactory provision shall have been made as determined by the director for the repayment to the division of any funds expended by the division from the federal Leaking Underground Storage Tank Trust Fund”); *see also*, Madeleine Kellam, *Georgia Brownfields Presentation*, GA. DEP'T NAT. RESOURCES, ENVTL. PROTECTION DIVISION, available at <http://www.atlantaga.gov/modules/showdocument.aspx?documentid=1627>.

a permit for the treatment, storage, or disposal of hazardous waste issued pursuant to O.C.G.A. § 12-8-66, or if the property has outstanding financial obligations to the EPD.¹⁹

IV. Requirements

The program requires that purchasers of potential brownfield properties investigate contaminant releases at the site and conduct soil and source material cleanup.²⁰ The purchaser must complete a prospective purchaser corrective action plan (“PPCAP”) if no site investigation and cleanup has already begun by the time the purchaser is applying for the program, or a prospective purchaser compliance status report (“PPCSR”) if there is sufficient pre-existing sampling data on the property.²¹ In addition to providing the reports, a closing date, a compliance due date, a legal description of the property and two copies of the PPCAP or PPCSR,²² a prospective purchaser must also submit a non-refundable \$3,000 review fee with the application, and the EPD may require additional funds to review applications depending on how long the review takes.²³

¹⁹ O.C.G.A. § 12-8-205(3) (“The property shall not: (A) Be listed on the federal National Priorities List pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601, et seq.; (B) Be currently undergoing response activities required by an order of the regional administrator of the federal Environmental Protection Agency issued pursuant to the provisions of such act; or (C) Be a hazardous waste facility as defined in Code Section 12-8-62, that is currently subject to a permit for the treatment, storage, or disposal of hazardous waste issued pursuant to Code Section 12-8-66”). *See also, Brownfield Eligibility Form, supra* note 13; Kellam, *supra* note 18.

²⁰ *See* Kellam, *supra* note 18.

²¹ *See Brownfield Eligibility Form, supra* note 13; *Brownfields Redevelopment in Georgia, supra* note 1.

²² *See Brownfield Eligibility Form, supra* note 13. In addition to the PPCAP or PPCSR, the application must include: a purchase date or closing date for real estate transaction, a due date for submission of the final prospective purchaser compliance status report, a legal description for the subject property, or if not currently available, other documents such as a copy of a Tax Plat or other figure showing the property boundary, and two paper copies of the PPCAP or PPCSR and one disc copy in a searchable document, preferably a PDF. *Id.*

²³ O.C.G.A. § 12-8-209. Within 30 days of receipt of a prospective purchaser's application, the EPD must deliver an estimate of the cost of reviewing the application. *Id.* The EPD tracks the review on an hourly basis and if the cost is greater than \$3,000, the EPD will invoice the applicant for the additional funds, billing at \$75 per hour. *See Brownfields Redevelopment in Georgia, supra* note 1; Shannon D. Ridley, *Georgia Brownfield Program Update*, GA. DEP'T NAT. RESOURCES, ENVTL. PROTECTION DIVISION, available at http://www.gaawma.org/assets/documents/2017/2017%20reg%20update%20awma%20presentation_ridley.pdf. The applicant must make the additional payment within 30 days or the application may be rejected. O.C.G.A. § 12-8-209.

The PPCAP must, at minimum, describe in detail the purchaser's proposed course of action to bring any source material or soil found on the qualifying property into compliance with all applicable EPD rules and regulations.²⁴ The PPCAP should also provide a plan for site characterization²⁵ and a schedule of the work to be performed through the completion of the PPCSR.²⁶ The prospective purchaser must also submit proof of financial assurance of his or her ability to implement the PPCAP.²⁷

Once the PPCAP has been submitted, it is subject to the approval of the EPD, and if approved, the prospective purchaser is responsible to carry out the PPCAP.²⁸ If the EPD believes the PPCAP must be modified, or is not being implemented properly (or at all), the EPD may revoke the plan's approval.²⁹ When approved, the EPD will provide a deadline for the prospective purchaser to certify that the property is in compliance with the risk reduction standards for source material or soil in order to maintain the limited liability of the program.³⁰ The property's limited liability may be revoked if the prospective purchaser does not comply with the EPD's deadline and requirements.³¹

Once the PPCAP has been implemented, the property owner must submit a PPCSR to the EPD, certifying compliance with the risk reduction standards for source material or soil and

²⁴ See O.C.G.A. § 12-8-207(b)(1).

²⁵ *Brownfields Redevelopment in Georgia*, *supra* note 1. Hazardous waste site characterization "provides the information needed to identify site hazards and to select worker protection methods. The more accurate, detailed, and comprehensive the information available about a contaminated site, the more the protective measures can be tailored to the actual hazards that workers may encounter." OCCUPATIONAL SAFETY AND HEALTH GUIDANCE MANUAL FOR HAZARDOUS WASTE SITE ACTIVITIES, NAT'L INST. OCCUPATIONAL SAFETY AND HEALTH 6-1 (1985).

²⁶ *Brownfields Redevelopment in Georgia*, *supra* note 1.

²⁷ O.C.G.A. § 12-8-207(b)(2).

²⁸ O.C.G.A. § 12-8-207(b)(3).

²⁹ O.C.G.A. § 12-8-207(b)(5). If the EPD is going to revoke plan approval, it must provide "the prospective purchaser with written notification specifying the basis for making such determination and requesting modification and resubmission of a modified plan or an opportunity to address any deficiencies in implementing the corrective action plan within a specified time. If at any time the prospective purchaser determines that any element of an approved prospective purchaser corrective action plan must be modified in order to achieve compliance with the risk reduction standards for source material or soil, the prospective purchaser shall notify the director and obtain approval of the proposed modification." *Id.*

³⁰ O.C.G.A. § 12-8-207(b)(4).

³¹ *Id.*

corrective action requirements.³² Once the EPD sends a written concurrence with the PPCSR, the property will be deemed in compliance with the source or soil contamination risk reduction standards.³³ The purchaser's limited liability takes effect upon approval of either the PPCAP or the EPD concurrence with the certification of compliance, whichever comes first.³⁴ Soil and source material must be brought into compliance with risk reduction standards promulgated under Georgia's superfund law, codified at O.C.G.A. § 12-8-90, *et seq.*³⁵ There are five available cleanup standards under the Rules and Regulations of the State of Georgia.³⁶ The standards are: Type 1: Residential standard with default assumptions; Type 2: Residential standard with site-specific assumptions; Type 3: Nonresidential standard with default assumptions; Type 4: Nonresidential standard with site-specific assumptions; and Type 5: Use of institutional and/or engineering controls with monitoring for properties where Types 1-4 are not practicable.³⁷

V. **Benefits**

Though the Georgia Brownfield program requires prospective purchasers to invest potentially significant resources into the compliance process through site investigation and soil and source material cleanup, the program provides sizable incentives to offset those costs. The two main categories of benefits for prospective purchasers are: (A) limited liability for the previous contamination at the site, and (B) tax incentives to help reimburse property purchasers for site investigation and cleanup.³⁸

A. **Limited Liability**

³² O.C.G.A. § 12-8-207(b)(6).

³³ *Id.*

³⁴ O.C.G.A. § 12-8-207(a)(1).

³⁵ *Brownfields Redevelopment in Georgia*, *supra* note 1; *see also*, Souder, *supra* note 3.

³⁶ Ga. ADC 391-3-19; Ga. Comp. R. & Regs. 391-3-19.

³⁷ *Brownfields Redevelopment in Georgia*, *supra* note 1.

³⁸ *See* Kellam, *supra* note 18.

The limited liability benefits under the program protect the prospective purchaser from third-party liability for claims arising from past releases of contamination.³⁹ The limited liability protection also releases the prospective purchaser from the obligation to perform corrective action for groundwater contamination.⁴⁰ This is significant because groundwater remediation is generally the most time consuming and expensive aspect of cleaning up a contaminated site.⁴¹ Moreover, the limited liability protection is a significant incentive because purchasers of contaminated land can be held liable for past releases of hazardous materials under federal and state laws, posing a serious risk of financial loss.⁴² This liability can attach in certain circumstances even when the buyer did not contribute to and was unaware of the prior contamination.⁴³

Furthermore, properties in some of the most sought-after neighborhoods in Atlanta and the surrounding metro area were formerly commercial or industrial sites and may have had releases of hazardous materials in the past.⁴⁴ Some of these sites are already designated as contaminated or potentially contaminated on the Georgia Hazardous Site Index (“HSI”), however, some properties may not have been identified as such yet.⁴⁵ In fact, as of 2016, eighty-

³⁹ *Id.*

⁴⁰ ENVTL. PROTECTION AGENCY, *Cleaning Up Brownfields Under State Response Programs – Getting to “No Further Action”*, available at https://www.epa.gov/sites/production/files/2016-08/documents/final_nfa_document_layout_8-1-16.pdf.

⁴¹ Amy Pilat McMorrow, *CERCLA Liability Redefined: An Analysis of The Small Business Liability Relief and Brownfields Revitalization Act and its Impact on State Voluntary Cleanup Programs*, 20 GA. ST. U. L. REV. 1087, 1123 (2004).

⁴² *See Brownfields Law*, NAT’L ASS’N OF REALTORS, <https://www.nar.realtor/NCommSrc.nsf/pages/BrownfieldsLaw>. Liability can attach in certain circumstances even if the purchaser was unaware of the contamination. *Id.*

⁴³ *See, e.g., Emhart Indus., Inc. v. Century Indem. Co.*, 559 F.3d 57, 60 (1st Cir. 2009); *United States v. Colorado & Eastern R. Co.*, 50 F.3d 1530, 1535 (10th Cir. 1995).

⁴⁴ *See, e.g., ATLANTA BELTLINE, Brownfield Remediation*, <https://beltline.org/progress/progress/environmental-progress/initiatives/brownfield-remediation/>; ENVTL. PROTECTION AGENCY, *Atlantic Station (Atlantic Steel Site Redevelopment Project)*, <https://www.epa.gov/smartgrowth/atlantic-station-atlantic-steel-site-redevelopment-project>; *see also Hazardous Site Inventory*, GA. DEP’T NAT. RESOURCES, ENVTL. PROTECTION DIVISION, <https://epd.georgia.gov/hazardous-site-inventory>.

⁴⁵ *See Hazardous Site Inventory, supra* note 44.

six percent of the Georgia Brownfield program applications have been for non-HSI properties.⁴⁶ Thus, a seemingly perfect location for a development project may actually wind up being much more complicated and costly than initially planned, but the Georgia Brownfield program can help compensate for those costs, turning a potential money pit into a profitable endeavor. In addition, this limitation of liability transfers to subsequent qualifying purchasers or interest holders⁴⁷ of the property who apply for limited liability within 30 days of acquiring the property.⁴⁸ The Georgia legislature recently amended the Brownfield Act to clarify that a qualifying ownership interest transfer includes tenants, easement holders and license holders.⁴⁹ This benefit can make the property easier to sell, as well as more valuable to future buyers.

B. Tax Benefits

Once the owner obtains the EPD's concurrence with the certificate of compliance, the tax benefits of the brownfields program can be realized under certain provisions of the Ad Valorem Taxation Act.⁵⁰ The property owner must submit records of investigation and cleanup costs⁵¹ to the EPD for certification, and then submit the approved certification to the local county taxing authority, who must respond in 90 days.⁵² Once the county grants the property preferential assessment, the property's value will be "frozen" at the lesser of either the purchase price or the

⁴⁶ Ridley, *supra* note 23.

⁴⁷ O.C.G.A. § 12-8-207(a)(2). The purchaser must receive EPD approval of a PPCAP or a concurrence with a certification of compliance as described *supra*, and cannot themselves violate any of the eligibility requirements of prospective purchasers under the program. *See Id.*

⁴⁸ O.C.G.A. § 12-8-207(a)(2) ("The limitation of liability provided under this Code section shall also benefit a qualifying purchaser who applies for a limitation of liability within 30 days following acquisition of title or any other new property interest in the qualifying property and subsequently receives the director's approval of a prospective purchaser corrective action plan or concurrence with a certification of compliance described in this Code section"). *Id.*

⁴⁹ ENVTL. PROTECTION AGENCY, *supra* note 40.

⁵⁰ Kellam, *supra* note 18; *see also* O.C.G.A. § 48-5-7.6.

⁵¹ *See* O.C.G.A. § 48-5-7.6(a)(1)(D)(3). The costs must have been incurred after July 1, 2003 and must be directly related to the receipt of a limitation of liability pursuant to the Georgia Brownfield Act. *Id.*

⁵² *See* O.C.G.A. § 48-5-7.6(c). The owner "shall make application to the county board of tax assessors and include said certifications with such application," and then the "county board of tax assessors shall determine if the provisions of this Code section have been complied with, and upon such determination, the county board of tax assessors shall be required to grant preferential assessment to such property." *Id.* "The county board of tax assessors shall make the determination within 90 days after receiving the application and shall notify the applicant...." *Id.*

fair market value of the property,⁵³ until the later of either ten years, or once the certified costs associated with that property have been recovered by the owner.⁵⁴ If work on the property began and then ceased for 180 days during the improvements period, the preferential tax assessment may be extended up to fifteen years.⁵⁵ Thus, the tax program allows the prospective purchaser to significantly reduce the tax liability of the newly developed brownfield property, which could represent a substantial savings. For example, if an investor purchased a brownfields property for \$2 million, performed remediation and invested in the site, resulting in a new property valuation of \$4 million, the property will still be taxed at the \$2 million valuation for potentially up to ten or fifteen years.⁵⁶ Additionally, the tax benefits increase commensurate with the escalation in property value from the development of the land, thus, the greater the increase in property value, the greater the savings in tax liability.

VI. Program Results

Since the Georgia Brownfield program was officially instituted in 2003, the EPD has received 805 applications, has issued 453 final limitations of liability, and 4,846 acres of land have been made ready for reuse.⁵⁷ According to the data, as of 2017, fifty-five percent of Georgia Brownfield projects have been completed, forty percent are in progress, and only five

⁵³ O.C.G.A. § 48-5-7.6(d)(3) (“The local taxing authority shall enter upon the tax digest as the basis or value of a parcel of brownfield property a value equal to the lesser of the acquisition cost of the property or the assessment of the fair market value of the property as recorded in the county tax digest at the time application for participation in the program was submitted to the Environmental Protection Division of the Department of Natural Resources under Article 9 of Chapter 8 of Title 12, the ‘Georgia Brownfield Act,’ as amended”).

⁵⁴ O.C.G.A. § 48-5-7.6(e)(1)(D),(E). The brownfield property shall retain the preferential assessment until the “later of the expiration of ten years during which the property was classified and assessed as brownfield property ... or ... The tax savings accrued on the property equal the eligible brownfield costs certified by the Environmental Protection Division of the Department of Natural Resources and submitted to the local taxing authority.” *Id.* See also, GEORGIA DEPT. OF REVENUE, *Property Tax Valuation*, <https://dor.georgia.gov/property-tax-valuation>.

⁵⁵ O.C.G.A. § 48-5-7.6(o)(1).

⁵⁶ See John Northup, *Brownfield Program Encourages Redevelopment of Contaminated Properties*, BUSINESSINSAVANNAH (June 21, 2017), <http://businessinsavannah.com/bis/2017-06-21/northup-brownfield-program-encourages-redevelopment-contaminated-properties>.

⁵⁷ Ridley, *supra* note 23.

percent of the programs applicants have withdrawn.⁵⁸ Notable Georgia Brownfield projects include Atlantic Station, the Beltline, NCR Atlanta headquarters, and Ponce City Market.⁵⁹

If you have a site or project that you think may be a good fit for the Georgia Brownfield program, or would like more information, please contact me at ctroutman@seyfarth.com.

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⁵⁸ *Id.*

⁵⁹ Pamela Miller, *Atlanta City Planning awarded funding for EPA brownfields program*, ATLANTA J. CONST. (June 14, 2017), <http://www.ajc.com/news/local/atlanta-city-planning-awarded-funding-for-epa-brownfields-program/L94x9s0t7eEyRTltBmE4pM/>.