

Firm News | October 24, 2023

## Case Study: Largest Ever Site Completes Georgia's Brownfield Program

Troutman Pepper Counsels Organic Capital Fund in Site Acquisition, Remediation Efforts

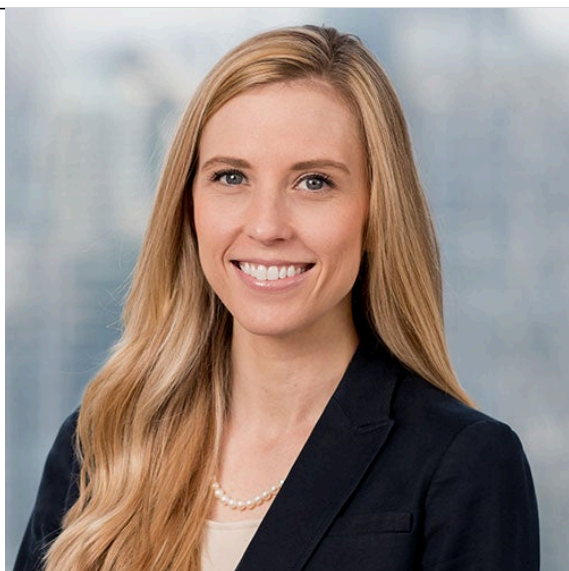
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**Client:** Organic Capital Fund, LLC (OCF)

**The Troutman Pepper Legal Team:** Troutman Pepper's top-ranked Environmental and Natural Resources Practice Group has a reputation for developing creative solutions to complex environmental problems. Our dedicated Contaminated Sites + Waste Management team has routinely helped clients avail themselves of the liability protections and incentives offered pursuant to Georgia EPDs Brownfields and voluntary cleanup programs.



**Karlie Clemons Webb**

Partner  
Contaminated Sites + Waste Management



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Partner  
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**The Challenge:** Troutman Pepper represented OCF in the acquisition of approximately 7,800 acres of land from Bayer CropScience in Woodbine, Camden County, Georgia. The land was previously used for various industrial purposes. As part of the acquisition, OCF agreed to bring the property into compliance with applicable environmental laws for non-residential property. As a mechanism to achieve environmental compliance, OCF would investigate and remediate 887 acres (upland) of the site.

**The Response:** Troutman Pepper worked closely with Leonard Diprima of United Consulting, the technical experts advising OCF on appropriate sampling and remediation and interfacing with Georgia's Environmental

Protection Division, to develop an environmental strategy to assess and achieve environmental compliance for the property. A key piece of this strategy was to enroll approximately 887 acres into the Georgia EPD Brownfields Program.

The Georgia Brownfield Program provides a prospective purchaser liability protection from lawsuits arising from prior environmental impacts at the site. In exchange for liability protection, the prospective purchaser must investigate soil and groundwater and remediate soil to meet the state's risk reduction standards.

**The Result:** On September 8, 2023, the Georgia Environmental Protection Branch issued the final Brownfield Limitation of Liability, noting the site's compliance with non-residential soil risk reduction standards. David Cole, VP NAI Brannen Goddard, will now be managing the marketing of the sale of the property for redevelopment.

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