

Typical Brownfield Remediation Process and Timeline

Phase 1: Discovery & Initial Assessment

Discovery:

Discovery is typically completed during due diligence. Conducting an All Appropriate Inquiry (AAI) within six months before acquisition provides “innocent owner” liability protection with Environmental Protection Agency (EPA) and the State of Vermont.

Phase I Environmental Site Assessment (ESA):

A Qualified Environmental Professional (QEP) completes a Phase I ESA, which includes:

- Reviewing historical records of the site and surrounding properties
- Conducting site inspections for visible contamination
- Interviewing current/past owners or occupants

Note: Phase I does not include sampling unless there is a specific reason to do so

Timeline: ~2–4 weeks, depending on site complexity and historical documentation.

Phase 2: Site Investigation(s)

Triggered when Phase I identifies Recognized Environmental Conditions (RECs) requiring confirmation.

Phase II ESA Activities:

- Soil, groundwater, and possibly soil gas sampling
- Laboratory analysis to determine contaminant type and extent
- Human health and environmental risk assessment
- Multiple iterations may be required to fully characterize the site

Regulatory Oversight:

Work plans require approval from the VT Department of Environmental Conservation (DEC), Environmental Protection Agency (EPA), and possibly Toxic Substances Control Act (TSCA) if Polychlorinated Biphenyls (PCBs) are involved.

Timeline: Several months to multiple years depending on contamination complexity, required delineation, and agency review time.

Phase 3: Corrective Action Planning & Remediation

Evaluation of Corrective Action Alternatives (ECAA):

QEP develops potential remediation strategies based on Phase II findings and proposed site reuse.

Corrective Action Plan (CAP):

Includes site-specific remediation methods, such as:

- Excavation and disposal of contaminated soil
- Groundwater pump-and-treat
- In-situ biological or chemical remediation
- Vapor intrusion mitigation systems
- Institutional controls (e.g., restrictive covenants)

Regulatory Approval:

CAP must be approved by VT DEC, EPA, and possibly TSCA.

Remediation Work:

Execution can take months or years depending on contamination severity, construction schedules, and funding availability.

Development:

Redevelopment can begin once cleanup objectives have been met and the site receives regulatory sign-off.

Timeline:

Full brownfield redevelopment ranges from several years to over a decade.

Additional Considerations

Community Engagement:

Public communication or hearings may be required depending on project scale and potential impact.

Funding & Incentives:

Grants, tax credits, and other incentives can reduce financial risk. Vermont's Regional Planning Commissions (RPCs) and Regional Development Corporations (RDCs) often play a central role by holding brownfield liability coverage.

Reference:

Vermont DEC Brownfields Handbook (2023)

<https://dec.vermont.gov/sites/dec/files/wmp/Sites/03.2023.brownfields.handbook.final.pdf>

Do Private Real Estate Investors Invest in Brownfields?

Yes — but they're a specific type of investor with a higher risk tolerance.

Why Private Investors Do It

- Discounted Acquisition Cost: Brownfields are often significantly cheaper.
- Existing Infrastructure: Utilities, roads, and structures reduce redevelopment costs.
- Sustainability & Smart Growth: Strong alignment with Environmental, Social and Governance (ESG) and community-revitalization goals.
- High Upside Potential: Successful cleanup can generate outsized returns relative to cost basis.

Challenges & Risks

- Environmental Liability & Uncertainty: Cleanup can uncover surprises.
- Complex Regulatory Environment: Multiple agencies and approvals create timeline risk.
- Long Project Durations: Carrying costs and staging can impact ROI.
- Public Perception: Community skepticism or misinformation may slow redevelopment.

Why Some Investors Lean In Anyway

- Specialized Expertise: Some investors exclusively target brownfields and understand the regulatory path.

Government Incentives: Grants, tax credits, and liability protections (often via RPC/RDC programs) lower risk.

Community Impact: These projects can transform neglected areas into economic drivers.

Bottom Line:

Private investors do invest in brownfields, but it's niche. Projects succeed when the investor has strong environmental consultants, patient capital, and access to public incentives.