

# Capturing the Renewable Energy Potential of Landfill and Brownfield Sites

Aileen Hooks, Baker Botts LLP

CONFIDENTIAL  
© Copyright Baker Botts 2020. All Rights Reserved.



1

## Table of Contents



**Why Site Renewables on Brownfields?**



**What to Consider and Expect on the Environmental Diligence Front**



**How to Protect Against Environmental Risks**



**Concluding Observations**

BAKER BOTTS

2

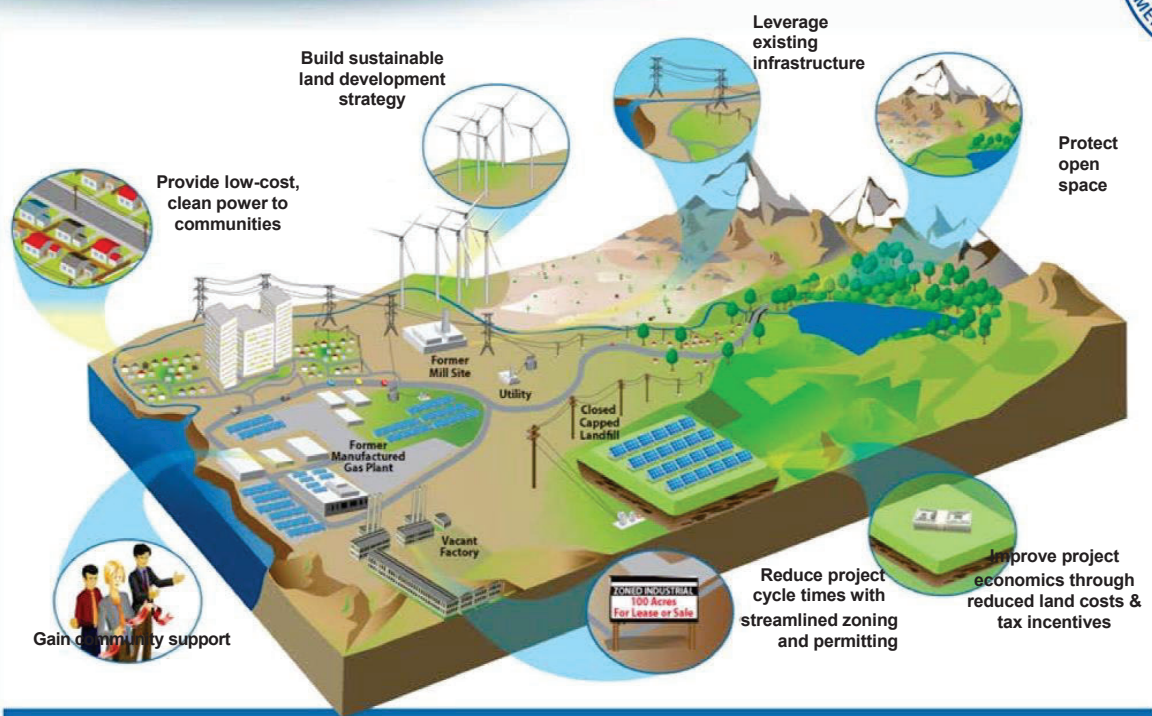
## Why Site Renewables on Brownfields?



BAKER BOTTS

3

## Why Renewables on Potentially Contaminated Lands?

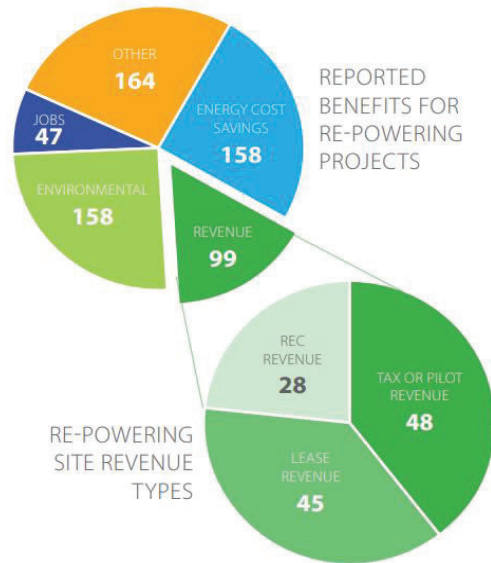


4

## Benefits of Siting Renewable Energy on Contaminated Lands

- Community Benefits
  - Preserving greenfields
  - Raising property values
  - Creating jobs
  - Return properties to productive uses
- Developer Benefits
  - Leverage existing infrastructure
  - Reduce project cycle times
  - Lower costs to acquire
  - Build community goodwill
- Environmental Benefits
  - Facilitate site cleanup
  - Protection of open space
  - Greenhouse gas emission reductions

Reported Benefits for Renewable Energy Projects on Contaminated Lands<sup>3</sup>



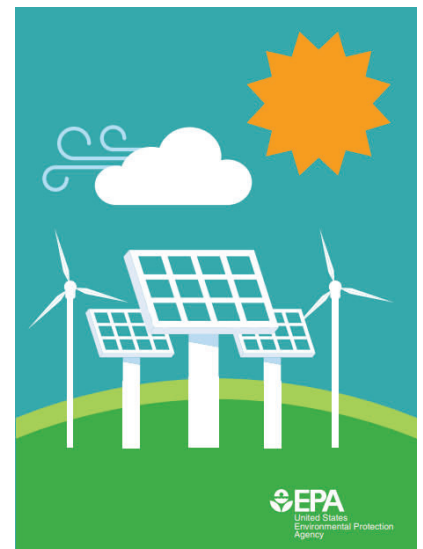
<sup>3</sup> Pie chart represents number of benefits across 436 total benefits identified within the 382 renewable energy on contaminated sites with reported benefits. The "Other" category in all charts includes cost savings associated with powering site clean-up (green remediation), induced economic benefits to the community resulting from jobs created (e.g., more customers for the local diner), secondary use of renewable energy installations as tools for learning and data gathering, and the ability to use renewable energy installations for distributed generation.

BAKER BOTTS

5

## Initiatives and Incentives: Federal

- **EPA RE-Powering America's Land Initiative**
- EPA Landfill Methane Outreach Program
- EPA Brownfields Program
- Federal Tax Credits
  - Business Energy Investment Tax Credit
  - Qualified Opportunity Zones
  - New Markets Tax Credit



BAKER BOTTS

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

## Title search: Capturing the Renewable Energy Potential of Landfill and Brownfield Sites

Also available as part of the eCourse

[2021 Renewable Energy Law eConference](#)

First appeared as part of the conference materials for the  
16<sup>th</sup> Annual Renewable Energy Law Institute session

"Capturing the Renewable Energy Potential of Landfill and Brownfield Sites"