



For EGLE Use Only

BEA Submittal #

MICHIGAN DEPARTMENT OF ENVIRONMENT,
GREAT LAKES, AND ENERGY

Remediation and Redevelopment Division

BASELINE ENVIRONMENTAL ASSESSMENT SUBMITTAL FORM

INSTRUCTIONS:

This form is for submittal of a Baseline Environmental Assessment (BEA), as defined by Part 201, Environmental Remediation and Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the purpose of establishing an exemption to liability pursuant to Section 20126(1)(c) and Section 21323a(1)(b) for a new owner or operator of property that is a facility as defined by Section 20101(1)(s) or Property as defined by Section 21303(d). The BEA report must be conducted either prior to or within 45 days after becoming the owner or operator, whichever is earliest. This form and the BEA report must be submitted prior to or within 6 months of becoming the owner or operator whichever is earliest. A separate BEA is required for each legal entity that is or will be a new owner or operator of the property. To maintain the exemption to liability, the owner and operator must also disclose the BEA to any subsequent purchaser or transferee before conveying interest in the property pursuant to Section 20126(1)(c) and Section 21323a(1)(b).

DUE CARE:

An owner or operator of a facility or Property also has due care obligations under Section 20107a and Section 21304c with respect to any existing contamination. Documentation of due care evaluations, all conducted response activities, and compliance with 7a or 4c need to be available to EGLE, but not submitted, within 8 months of becoming the owner or operator of a facility and/or Property.

SECTION A: LEGAL ENTITY INFORMATION

Name of Legal entity that does or will own/operate property:

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Contact Person (Name and Title): _____

Phone Number: _____ Email Address: _____

Contact for BEA questions if different from submitter, Name and Title:

Company: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Phone Number: _____ Email Address: _____

SECTION B: PROPERTY INFORMATION

Name of Property: _____ County: _____

Street Address(es) of Property: _____

City: _____ State: _____ ZIP Code: _____

City/Village/Township: _____

Property Tax ID (Include all applicable IDs): _____

Township, Section and Range: _____

Decimal Degrees Latitude and Longitude: _____

Address(es) according to tax records, if different than above:

Collection Method: Survey GPS Interpolation

Status of submitter relative to the property (check all that apply):

- Former Owner Current Owner Prospective Owner Former Operator
 Current Operator Prospective Operator

Reference Point for Latitude and Longitude: Center of Site Main/Front Door

Front Gate/Main Entrance Other If Other: _____

SECTION C: SOURCE OF CONTAMINATION AT THE PROPERTY

Facility – regulated pursuant to **PART 201**: New Existing

Existing 201 EGLE ID Number: _____

Property – regulated pursuant to **PART 213**: New Existing

Existing 213 EGLE ID Number: _____

Check all that are known to apply:

Source other than Part 201 or Part 213, or source unknown

Oil or gas production and development regulated pursuant to Part 615 or 625

Licensed landfill regulated pursuant to Part 115

Licensed hazardous waste treatment, storage, or disposal facility regulated pursuant to Part 111

SECTION D: APPLICABLE DATES (provide date for all that are relevant)

Date All Appropriate Inquiry (AAI) Report or Phase I Environmental Assessment Report completed: _____

Date Baseline Environmental Assessment Report conducted: _____

Date submitter first became the owner: _____

Date submitter first became the operator: _____

Date submitter first became the operator (if prior to ownership): _____

Anticipated date of becoming the owner for prospective owners: _____

Anticipated date of becoming the operator for prospective operators: _____

If former owner or operator of this property, prior dates of being the owner or operator: _____

SECTION E: CHECK THE APPROPRIATE RESPONSE TO EACH OF THE FOLLOWING QUESTIONS

1. Is the property at which the BEA was conducted a “facility” as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d)?

Yes No

2. Was the All Appropriate Inquiry (AAI) or Phase I Environmental Assessment Report completed in accordance with Section 20101(1)(f) and or 21302(1)(b)?

Yes No

3. Was the BEA, including the sampling, conducted either prior to or within 45 days of the date of becoming the owner, operator, or of foreclosure, whichever is earliest?

Yes No

4. Is this BEA being submitted to the department within 6 months of the submitter first becoming the owner or operator, or foreclosing?

Yes No

5. Does the BEA provide sufficient rationale to demonstrate that the data is reliable and relevant to define conditions at the property at the time of purchase, occupancy, or foreclosure, even if the BEA relies on studies of data prepared by others or conducted for other purposes?

Yes No

6. Does this BEA contain the legal description of the property addressed by the BEA?

Yes No

7. Does this BEA contain the environmental analytical results, a detailed, scaled map (not aerial photo) showing the sample locations, and the basis for the determination that the property is a facility as defined by Section 20101(1)(s) or the basis for the determination that the property is a Property as defined by Section 21303(d)?

Yes No

SECTION F: ENVIRONMENTAL CONSULTANT SIGNATURE

I certify to the best of my knowledge and belief, that this BEA and all related materials are true, accurate, and complete. I certify that the property is a facility as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d) and have provided the sampling and analyses that support that determination. I certify that any exceptions to, or deletions from, the All Appropriate Inquiry Rule are described in Section 1 of the BEA report.

Signature	Print Name	Date
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Company: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Phone Number: _____ Email Address: _____

SECTION G: LEGAL ENTITY SIGNATURE

With my signature below, I certify that to the best of my knowledge and belief, this BEA and all related materials are true, accurate, and complete.

Signature	Print Name	Date
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Title and relationship of signatory to submitter:

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Phone Number: _____ Email Address: _____

This form should be submitted to EGLE Remediation & Redevelopment Division District Office for the county in which the property is located, unless the response activity is related to a facility that is regulated by another EGLE Division. An office map is located at www.Michigan.gov/EGLErrd. The BEA report and submittal form should be addressed to the field operations contact, located via the [EGLE-RRD contact map](#). If regulated by another division, contact should be made with that division for information on where to submit the form and report.

CONTENTS OF BASELINE ENVIRONMENTAL ASSESSMENT REPORT

1. Introduction and Discussion:

- a. Owner/operator information (name, mailing address, etc.).
- b. Intended use of property (i.e., residential, institutional, industrial, gas station, commercial, etc.).
- c. Executive summary of All Appropriate Inquiry (AAI) or ASTM Phase I Environmental Site Assessment (ESA) if available or a short summary of the findings and opinions of the AAI and the conditions indicative of releases or threatened releases of hazardous substances; or recognized environmental conditions identified in a Phase I Environmental Assessment.
- d. Any exceptions to, or deletions from, the AAI Rule 40 CFR 312 or ASTM E1527-13.
- e. Discussion of data gaps identified in the AAI or ASTM Phase I ESA and how they affect this BEA.
- f. Discussion of the sampling completed, including the purpose and methods. If the data was not collected by the submitter or environmental professional, the demonstration that the data is reliable and relevant to define the conditions at the property.
- g. The general location(s) of the known contamination on the property including the environmental media affected.
- h. The basis for the conclusion that the property is a facility (Part 201) and/or a Property (Part 213).

2. Property Information

- a. Legal description of property.
- b. Survey map(s) (not aerial photographs) accurately depicting the property boundaries, property tax ID(s), and, if applicable, each parcel boundaries. If a legal description simply references a lot or plat, include a copy of the subdivision plat showing this property. A legal boundary survey by a licensed surveyor is required if the property covered by the BEA is greater or less than the legal property description(s). A legal survey is highly recommended when the property description is complex, has recently changed, multiple parcels are included in one BEA, or other situations where the exact property the BEA covers may be an issue when relying on the BEA for liability protection in the future.
- c. Scaled, detailed site map(s) (**not aerial photographs or maps**) with site structures, sample locations and depths, and detected contaminant concentrations.
- d. Scaled area map showing property in relation to surrounding area (such as topographic or aerial maps).
- e. Property location: Street/City/State/Zip.
- f. Spatial data required on form: County; City/Village/Township that is the governmental unit with jurisdiction; Town, Range, Section, Quarter and Quarter-Quarter Section; latitude and longitude coordinates including the information on how those were obtained.

3. Facility or Property Status

- a. Table listing the hazardous substances, CAS Number, concentrations, sample location(s) and depths, and media affected, that are known to exceed residential criteria at the property.
- b. Laboratory analytical data sheets and chain-of-custody documents.

4. Identification of the author of the BEA

- a. Name, qualifications as an environmental consultant, company, contact information, etc.

5. AAI Report or ASTM Phase I ESA
 - a. The report must consider hazardous substances as defined by Section 20101(1)(y) and/or regulated substances as defined by Section 21303(g).
6. References (other than those already included in the AAI or ASTM Phase I ESA).

FOR SUBMITTAL TO EGLE

- Phase I ESA: Do **NOT** include the environmental database search report (e.g., EDR Radius Map Report) or copies of EGLE files.
- Phase I ESA: DO include all historical aerial photographs, Sanborn Fire Insurance maps, etc.
- Do **NOT** submit copies of documents that already exist in EGLE district office files.
- DO provide copies of pertinent information and a reference to the location of the complete information within the EGLE file. *Example: include data tables and maps in the BEA but only reference the supporting analytical reports located in EGLE files by providing the file name, facility or site number, report name, and report date.*
- Remove from the BEA and any attachments any *personally identifiable information* prior to submittal to EGLE.

If you need this information in an alternate format, contact EGLE-Accessibility@Michigan.gov or call 800-662-9278.

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This form and its contents are subject to the Freedom of Information Act and may be released to the public.