



EGLE'S AFFORDABLE HOUSING ENVIRONMENTAL REVIEW PROGRAM

Coleman A. Young Municipal Center
March 28, 2025



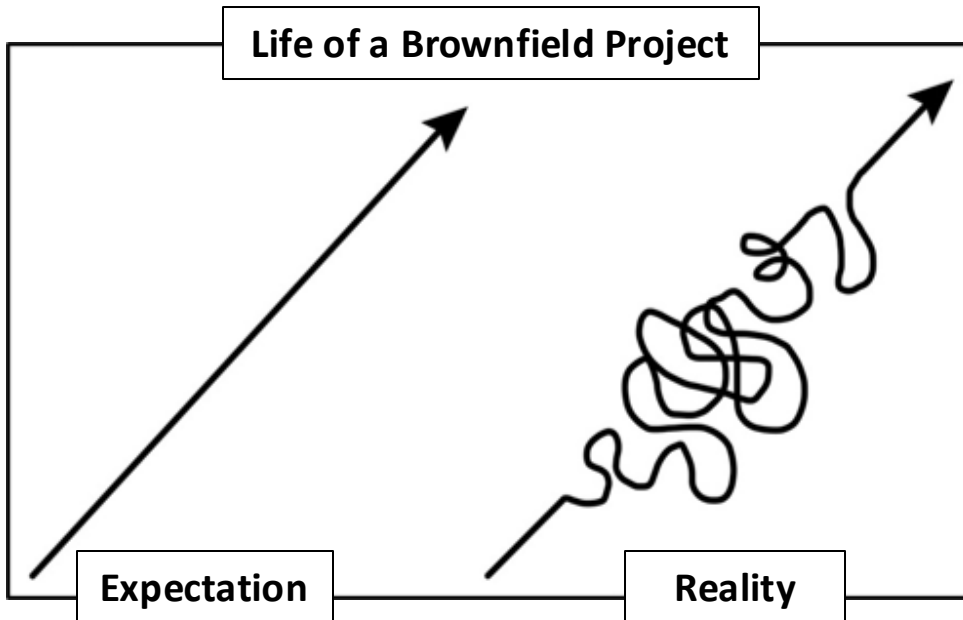
THE COMMON GOAL

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM



Hillside Townes, Farmington Hills

WHY IS IT SO HARD?



WHY IS IT SO HARD?

Developer

- Spend as little as possible
- Work as fast as possible

EGLE

- Usually need more info
- Takes more time and money

DO SOMETHING...ANYTHING!

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

Enter Presumptive Mitigation



Things are
moving
forward

Upside

May cost
more
money

Ongoing
obligations
FOREVER

May conflict
with COD
NEPA

EGLE BF
Funding: No
Buono

Downside

DO SOMETHING...ANYTHING!

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

The Problem

- Uncertainty of what we want / need

The Solution

- Providing more clarity and guidance



DID SOMEONE SAY FUNDING?

Site Assessments

Grants

Loans (1.5%)

Brownfield TIF

HOW DID WE GET HERE
WHAT ARE WE SUPPOSED TO DO
WHERE ARE WE GOING
HOW DO WE GET THERE

WHERE ARE WE GOING?



- It's the law if you own contaminated property
- Don't need to clean it up
- Don't make it worse
- **Make it safe for residential use**
- Prepare/provide notices

HOW DO WE GET THERE?



FAB FIVE

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

1	Phase I ESA/AAI + NEPA Considerations
2	Pathway Evaluation Endpoint specific!
3	Phase II ESA Characterization for <u>Residential</u> Use
4	Response Activities to Mitigate Unacceptable Exposures
5	Documentation to Show It's Safe Response Activities Complete & Safe Use



EXPOSURE PATHWAY ANALYSIS



Contamination
Source



Transport
Mechanism



Point of
Exposure



Route of
Exposure



Receptors
Present

COMPLETE PATHWAY

- Current Conditions & Use
- Human Receptors Only
- Due Care Only

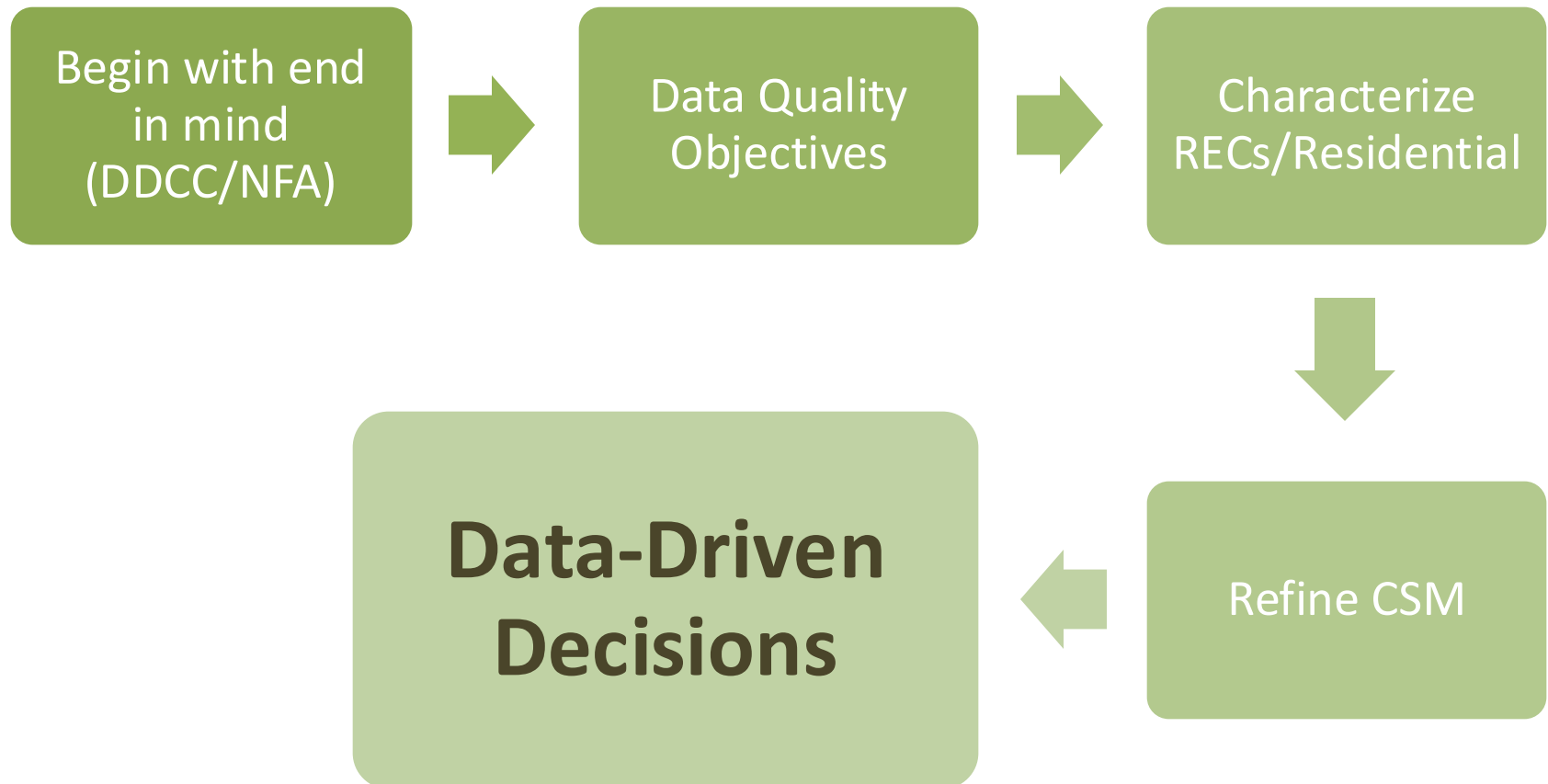
RELEVANT PATHWAY

- Current & Future Use
- Human & Non-Human Receptors
- NFAs must evaluate relevant pathways

NOTE: Completeness or relevancy of an exposure pathway is independent of hazardous substance concentration

SITE CHARACTERIZATION

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM



TOOLS YOU CAN USE

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM



**DIRECT CONTACT
BARRIERS**



**INCREMENTAL
SAMPLING**



**SOIL
BACKGROUND**



**VMS
UPDATES**



**DISPERSED
VAPOR
SOURCE**

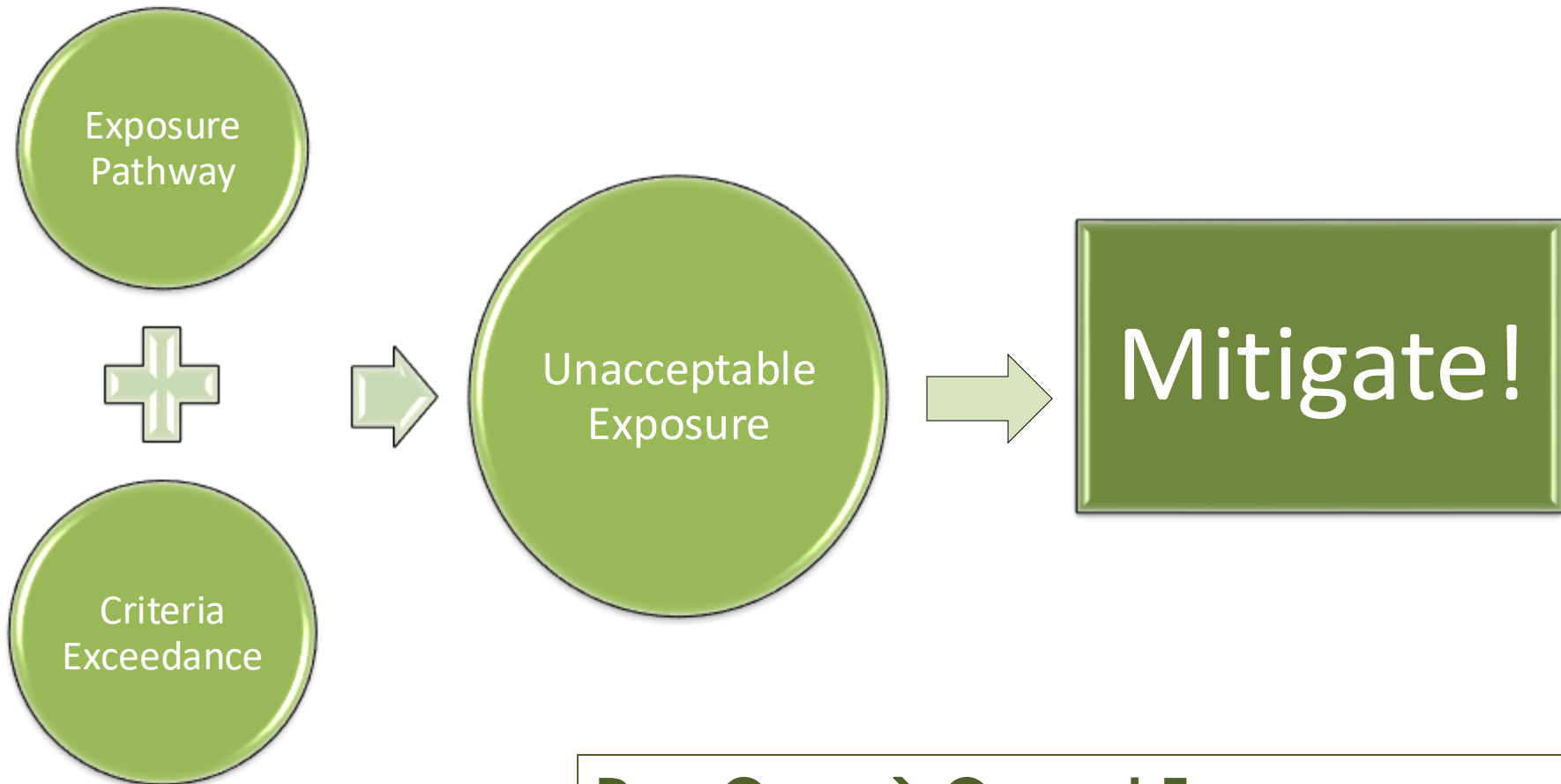


**PETROLEUM
VI**



METHANE

MITIGATE UNACCEPTABLE EXPOSURE



Due Care → Current Exposure
NFA → Current & Future Exposures

RESPONSE ACTIVITY PLANS

ResAP to Comply with 7a(1)(b)

- Due care only
- All complete pathways must be evaluated
- DDCC endpoint
- Characterization supports response activities

“Other” ResAP

- RI, EP, RAP, combo
- Complete or relevant pathways
- DDCC or NFA endpoint
- Needs City and/or MSHDA approval **first**

DOCUMENTATION

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

SPECIFIC TO RESPONSE ACTIVITY

- Photographs, field measurements, logs
- As-built figures, survey (NFA)
- Manifests/disposal documentation
- Source and quantity of backfill (load tickets), sample results
- Proof of commissioning (VMS)

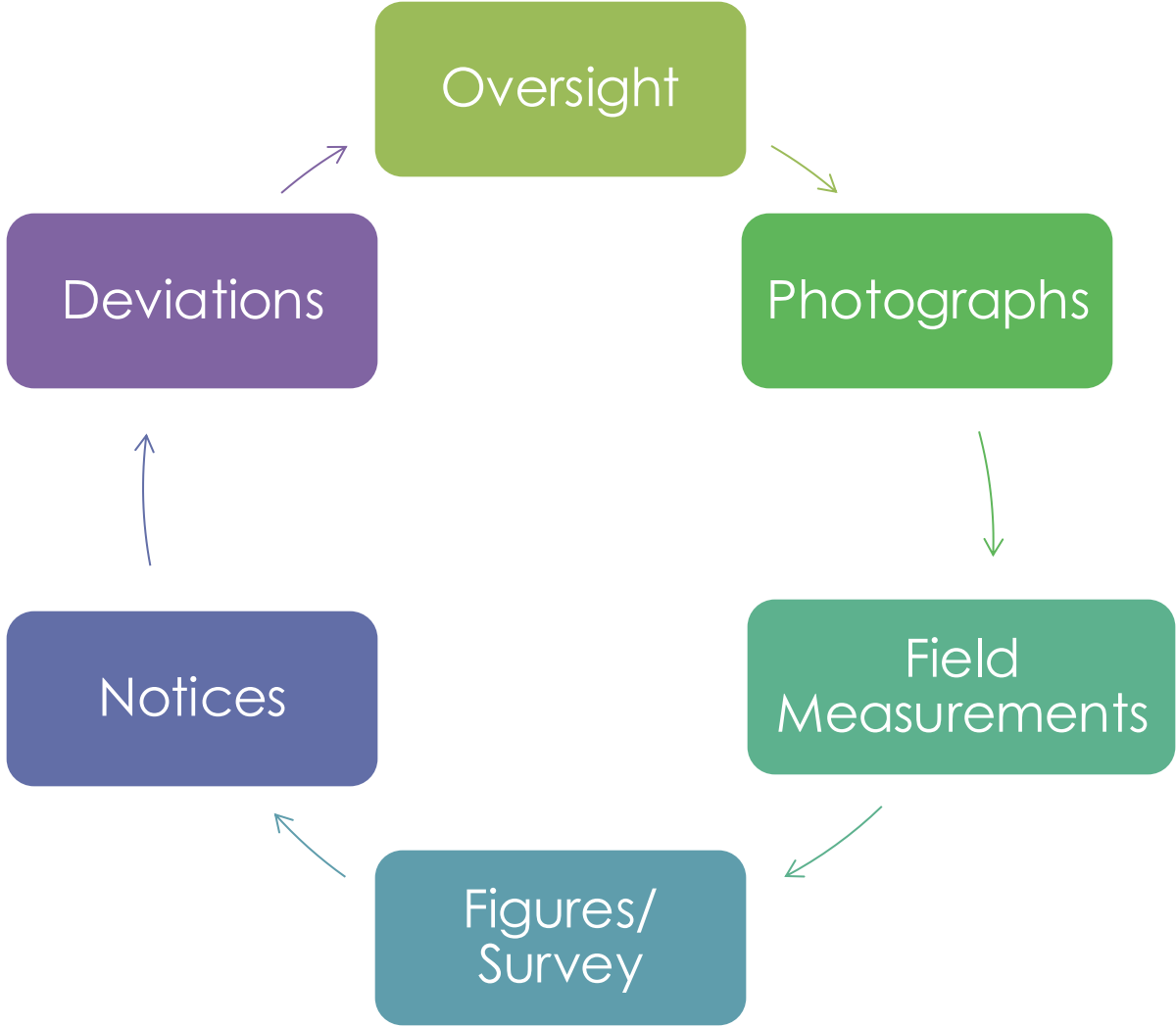


DOCUMENTATION

SPECIFIC TO RESPONSE ACTIVITY

- GPR survey, geotechnical reports, cut/fill plan
- O&M/inspection records
- Notices plus proof of delivery (DDCC only)
- Restrictive Covenant for drinking water pathway or GWNIAA (NFA)





NO FURTHER ACTION

CATEGORY

- UNRESTRICTED
- RESTRICTED
- RESIDENTIAL OR NON-RESIDENTIAL

FACILITY

- ENTIRE FACILITY
- SPECIFIC PORTION, RELEASE, SUBSTANCE, PATHWAY, ETC.

PATHWAYS

- ALL RELEVANT
- CURRENT AND FUTURE USE

CERTIFICATE OF COMPLETION

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

Limited Uses

- NOT for Due Care Compliance
- EGLE agrees that an activity has been completed
 - Site Investigation
 - VMS Installation
 - Excavation with VSR

Not common – EGLE does not determine when applicable



SUBMITTAL REVIEW PROCESS

	OFFICIAL SUBMITTALS	DRAFT SUBMITTALS
Review Period	60 days	GOAL: <30 days (dependent on workload)
Review process	<ul style="list-style-type: none">• Full review• Comments provided• Simple updates permitted without restarting clock• Significant issues may result in need to resubmit and restart the clock	<ul style="list-style-type: none">• Cursory review• Comments provided• Focus on significant issues that would prevent approval
Form of Response	<ul style="list-style-type: none">• Determination letter via email	<ul style="list-style-type: none">• Informal feedback via email

TYPICAL PROJECT TIMELINE WITH ENVIRONMENTAL REVIEW

MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

24 - 38 MONTHS

Project Approval

- Application
- Award by Responsible Entity (RE)
- RE determines level of review & required EGLE approval

4 mo.

Site Characterization

- Phase I ESA
- Phase II ESA & BEA
- Plan for additional soil gas sampling now!

4-6 mo.

Response Activity Plan

- Official EGLE Review
- 60 Days

60 days

NEPA

- AUGF
- Commit funds

45 days

Construction/Mitigation

- Implement Mitigation Plan
- Oversight
- Document Activities

24 mo.

DDCC/ NFA

- Mitigation Complete
- All Records
- Official EGLE Review

45 days / 60 days

Avoid choice limiting actions!