

MEMO

ASTI Environmental

March 20, 2020

To: Our Valued Clients
From: Doug Brown
Subject: ASTIs Response to Covid19

REAL ESTATE DEVELOPMENT DURING COVID19 MOVING FORWARD

Our phones are still ringing !!

And we continue to complete existing contracts and to accept new work. For 35 years ASTI has earned our client's trust and today is no different. A month ago we implemented new policies and procedures to safeguard our employees and clients while completing projects to meet real estate closing and financing deadlines. These include:

- Field work is being evaluated on a case-by-case basis and will only be conducted on vacant land or unoccupied, vacant or idle commercial/industrial buildings. We will NOT enter any residential or occupied structure at this time.
- We anticipate that municipal and government offices will be closed at least through April 13, so we are keeping our clients informed of any delays or data gaps associated with file reviews at both municipal and state office buildings.
- Potentially delayed FOIA requests that are not critical to the Phase I Environmental Site Assessment (ESA) conclusions will be defined as "data gaps" in the final report.
- For any Phase I ESA report published with a data gap resulting from the inability to inspect a building, ASTI will conduct the building inspection free of charge after it is determined safe to enter occupied buildings.
- Finally, please see ASTI President Tom Wackerman's personal commitment to employee health and safety and client satisfaction <http://www.asti-env.com/>

EGLE Offers Relief For BEA Submittals

A Baseline Environmental Assessment (BEA) conducted for properties purchased, occupied, or foreclosed on or after February 1, 2020, should be submitted to EGLE with a cover letter indicating the submitter is seeking an inconsequential determination for failure to meet the 45-day statutory requirement to have conducted the BEA. The letter should clearly indicate the failure was due to limitations associated with the executive orders issued by Governor Whitmer related to the Coronavirus pandemic.



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For questions about BEA relief please contact Jeanne Schlaufman, BEA and Due Care Specialist, Warren District Office, RRD, EGLE at schlaufmanj1@michigan.gov

For Freedom of Information Act (FOIA) requests, please visit the [FOIA page](#) on the EGLE website or email egle-foia@michigan.gov.

A Baseline Environmental Assessment (BEA) provides liability protection for the new property owner or operator for cleanup of contamination caused by others. A BEA describes the results of All Appropriate Inquiry, environmental due diligence including Phase I/II ESA, and includes the sampling and analysis that confirm that the property is contaminated above unrestricted residential criteria. A BEA must be conducted prior to or within 45-days of becoming the owner/operator of a contaminated property and submitted to the State of Michigan Department of Environment, Great Lakes & Energy (EGLE) within 6 months.

ASTI will do our part to help you get through this storm.
Thank you and stay safe



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