Contaminated Property

Acquisition & Redevelopment Checklist

A practical planning tool for purchasers, property owners, developers, and project teams. Use it to carry environmental findings from the transaction into responsible property management.

PROPERTY / PROJECT: _____

PROJECT LEAD: _____ **TARGET CLOSING:** _____

01 UNDERSTAND THE SITE

Establish what is known before the transaction.

- [ ] Review past uses, available records, environmental reports, and known releases.
- [ ] Determine whether a Phase I ESA, Phase II ESA, or additional investigation is needed.
- [ ] Identify contamination in soil, groundwater, and/or subsurface vapors, where known.
- [ ] Review existing land-use restrictions, recorded notices, and environmental controls.

02 EVALUATE LIABILITY PROTECTION

Coordinate regulatory and transaction requirements.

- [ ] Determine whether the property is a Part 201 or Part 213 facility and whether a BEA is appropriate.
- [ ] Confirm who will prepare the BEA and track applicable completion and disclosure deadlines.
- [ ] Have qualified legal and environmental advisers confirm eligibility and the transaction strategy.

03 CARRY THE FINDINGS INTO CLOSING

Make the handoff operational, not just administrative.

- [ ] Identify applicable due care obligations, exemptions, and any necessary follow-up evaluation.
- [ ] Assign ownership of environmental reports, restrictions, controls, and future notifications.
- [ ] Set aside a budget and decision owner for known environmental measures.

BEFORE YOU CLOSE: Confirm the next owner has a usable environmental file and a clear action list.

The Property Will Change.

Keep the Plan Current.

A BEA may support liability protection for existing contamination. It does not replace the need to evaluate applicable due care obligations as the site is used, maintained, and redeveloped.

04 PLAN FOR SAFE USE

Match protective measures to actual property conditions.

- [ ] Evaluate potential exposure pathways for workers, occupants, visitors, and neighbors.
- [ ] Identify required controls, such as covers, access limits, vapor measures, or groundwater restrictions.
- [ ] Document who maintains and checks each control, and when reviews are due.
- [ ] Determine applicable notification requirements for affected parties.

05 RECHECK BEFORE THE WORK CHANGES

Revisit the assessment when the scope or use changes.

- [ ] Review environmental conditions before excavation, demolition, utility work, or significant renovations.
- [ ] Confirm whether the proposed activity may disturb contamination or existing controls.
- [ ] Determine whether additional investigation, soil management, or worker precautions are needed.
- [ ] Build environmental tasks and decision points into contractor scopes, schedules, and budgets.

06 MAKE THE HANDOFF EXPLICIT

Put the right information in the right hands.

- [ ] Share relevant site conditions and restrictions with contractors and project managers.
- [ ] Establish who can pause affected work and who evaluates unexpected conditions.
- [ ] Keep records of controls, notifications, inspections, and changes in property use.

THE NEXT STEP

Before work begins, confirm that the environmental information still matches the proposed activity and that the project team knows what it means.

Michigan references: EGLE Baseline Environmental Assessments (michigan.gov/EGLEBEA) and EGLE Due Care (michigan.gov/EGLEDueCare).

Planning aid only. Requirements depend on site conditions, ownership, use, regulatory status, and applicable exemptions. Confirm project-specific obligations with qualified professionals.