Program Overview

Program Name: Michigan Department of Environment, Great Lakes, and Energy (EGLE)

Summary: Michigan created options to overcome the obstacles of brownfield redevelopment, including cost-effective cleanup options, causation-based liability, liability protection for new owners, state funding for cleanups, and grant and loan programs.

Website: https://www.michigan.gov/egle/0,9429,7-135-3306_28608---,00.html

Funding Source(s) for the Program: Various environmental state restricted funds, bond funds, and federal grants

Cost to enter program or fees for service: No Fees. Private owners can conduct cleanups under Part 201, Environmental Remediation (Part 201), or Part 213, Leaking Underground Storage Tanks (Part 213), of the Natural Resources and Environmental Protection Act (NREPA), PA 451 of 1994, as amende

Sites Enrolled in VCP: Sites are not enrolled. The DEQ conducts state-funded and managed response activities at sites where the liable party is not available or not viable.

Sites Completed under VCP: As of January 2017, DEQ had provided oversight or assistance on more than 10,000 cleanup projects.

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Assessment and Cleanup Funding

- State clean up funding is available for petroleum related sites and on a limited basis for non-petroleum related sites.
- Michigan's EPA Section128(a) Brownfield Grant is utilized to provide Targeted Brownfield Site Assessments for municipalities with qualifying properties

Incentives

- Brownfield Redevelopment Program offers grants and loans of up to $1,000,000 to municipalities for investigation and cleanup activities on brownfield properties with a proposed redevelopment. The municipality does not need to own the property. www.michigan.gov/deqbrownfields
- Tax increment financing for environmental activities is available to municipalities to promote redevelopment of contaminated properties.
- A variety of additional financial incentives from the Michigan Economic Development Corporation are available to provide assistance to brownfield projects, including tax increment financing for nonenvironmental activities and community redevelopment grants. www.michiganadvantage.org/Grow-Your-Business/

Liability Relief Provisions

A Baseline Environmental Assessment (BEA) establishes the means to distinguish a new release from pre-existing contamination. Completing a BEA and submitting it to the DEQ prior to or within 45 days of

purchase provides an exemption from liability for existing contamination. A BEA does not provide liability protection at sites regulated by the federal Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response Compensation and Liability Act (CERCLA). www.michigan.gov/bea

Methods/Standards/Controls

- A property is considered a "facility" if the contaminant concentration exceeds one or more residential criteria, as defined in Part 201 of NREPA.
- Risk-based criteria are in place for soil and ground water based on residential and non-residential land-use categories. Risk-based criteria are currently being developed to address the vapor intrusion pathway and screening levels are being utilized in the interim.
- Michigan DEQ also allows for the development of alternate criteria levels with the performance of site-specific risk assessments.

Contaminants Managed

Asbestos: No

Lead: No

PCBs: No

Petroleum and Fuels: Yes

Other Contaminants: Yes - Program covers petroleum and hazardous substances.

Related Programs

Leaking Underground Storage Tank (LUST) Program
http://www.michigan.gov/deq/0,1607,7-135-3311_4109_4215---,00.html

Superfund Program
http://www.michigan.gov/deq/0,1607,7-135-3311_4109_4217---,00.html