

Environmental Site Assessments

The goal of performing an Environmental Site Assessment (ESA) is to identify potential environmental liabilities associated with a property's current or past use. This could include such liabilities as illegal dumping, leaking underground storage tanks, and/or abandoned landfills. The cost to restore these properties when contamination is present generally rests on the current landowner. Therefore, the small and prudent costs to perform a thorough ESA can lessen the risk associated with a prospective purchaser unknowingly acquiring an environmental liability. Overall environmental liability reduction can be accomplished through the following types of ESAs



Transaction Screen Process ESA

An ESA Transaction Screen Process is a limited inquiry, and less expensive than a Phase I ESA, that may be used when both the buyer and seller agree that the potential of identifying a recognized environmental condition is unlikely. The Transaction Screen Process involves interviewing the owners/occupants of the property, visiting the site, and a brief inquiry into government records. The Transaction Screen Process will conclude that either (1) no further inquiry into recognized environmental conditions of the property is needed for purposes of appropriate inquiry, or (2) further inquiry is needed to appropriately assess recognized environmental conditions to satisfy *due diligence*. If the second conclusion is determined, a Phase I ESA is recommended.

Phase I ESA

There are four major components are involved in a Phase I ESA: a comprehensive records review, a site reconnaissance, interviews with current and past owners/occupants of the site and local government officials, and a final detailed evaluation report. BAY will provide a statement, as required in ASTM Practice E1527, with the Phase I ESA report identifying that (1) no evidence of recognized environmental conditions in connection with the property were found or (2) a list and interpretation of recognized environmental conditions.

BAY's ESA is designed to meet the requirements of ASTM E 1527-21, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, to provide due diligence for the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) innocent landowner defense. This process also incorporates and is consistent with the Environmental Protection Agency's (EPA) All Appropriate Inquiry, as mandated by the passage of the Brownfield Act in 2002.

Phase II Environmental Site Assessment (ESA)

Phase II ESAs are performed if a potential environmental concern is known to exist or was identified while performing a Phase I ESA. A typical "Phase II" is somewhat common phrase in the industry for performing a limited subsurface identification of property conditions and can be performed without the inquiry of a Phase I ESA . Phase II ESAs generally consist of collecting soil and groundwater data. Laboratory or field analysis is used to determine if there are environmental impacts.

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