

Guidelines for Selecting an Environmental Consultant

Investigating and cleaning up a petroleum release can be expensive. Selecting an unqualified or inexperienced environmental consultant to do the work may cost you even more. **Remember that you are responsible for making sure the investigation and cleanup is conducted properly and in a timely manner.**

The NDEE Petroleum Remediation Section (PRS) maintains a list of environmental companies for petroleum release investigations. Companies are included on the list at their own request, and **NDEE does not endorse them or attest to the quality of their work.** We suggest that you contact several companies and compare their responses in the following areas to determine which one best suits your needs:

Experience and Training

Before you hire a consultant, determine if the prospective company has the technical competence to do the work you need. Consider narrowing your list of possible consultants to companies that answer 'yes' to most of these questions:

- Does the company have experience performing petroleum investigations and clean-ups in Nebraska?
- Can the company provide you with the education and training backgrounds of the staff?
- Does the company have experience in monitoring well design and installation? (Some firms may subcontract well drilling. If the consultant you're interested in contracts its drilling to another company, be sure to get references for the subcontractor as well.)
- Is the company familiar with NDEE's *Risk-Based Corrective Action (RBCA) at Petroleum Release Sites* guidance document?
- Has the work performed by the company been reimbursed by Nebraska's Petroleum Release Remedial Action Cash Fund (the Title 200 program)? If any eligible sites were denied reimbursement, find out why.

Costs

Any consultant you hire should provide you with an estimate of expected costs and an itemized fee schedule. If your site is eligible for reimbursement of investigation and cleanup costs by the Title 200 program, compare the company's fee schedule to the Title 200 Reasonable Rates Schedule and Reimbursement Guidance Manual. Costs for some activities which consultants often subcontract, such as well drilling or soil vapor surveys, can greatly vary between contractors. Identify how you will be billed for the company's management of any subcontractor (normally done by a percentage of subcontractor cost) and refer to the Title 200 Reasonable Rates Schedule to determine if the subcontractor markups are within the maximum reimbursable rates.

Insurance

Determine if the consultant's and subcontractors' insurance coverage is adequate. To reduce your liability, do not contract with a company that does not have environmental liability insurance. If a company is self-insured, make sure it has adequate resources set aside to cover any problems that might occur.

References

It is also important to obtain references for any consultants you may hire. During the research of companies, request complete lists of the company's clients in your county or region. Once you have received a list of the consultant's previous clients, contact some of them and consider asking the following questions:

- Was your project similar in size and nature to mine?
- Did the consultant meet the stated work and project compliance dates?
- Did the consultant keep you informed of project developments and aware of all available options?
- Did you trust the consultant?
- Did any problems arise during your work with the consultant, and were they satisfactorily resolved?
- Did the consultant work effectively with NDEE and local officials?
- Were you satisfied with the work performed by the consultant?
- Were the final costs in-line with the original estimate?

You may also want to contact any professional organizations you belong to or other businesses in your industry for references. In addition, the NDEE PRS can provide you with a list of petroleum release sites in your area. You may wish to call some of the parties responsible for those clean-ups for references as well.

Conclusion

Remember that if you are unsatisfied with a consultant's performance in handling the investigation, do not feel obligated to keep that company for the remainder of the site cleanup. Finally, as with any business situation, doing some upfront work when hiring a consultant goes a long way:

- If it sounds too good to be true, it probably is,
- "Inexpensive" does not always mean "best", and
- A consultant who tries a hard-sell approach on you or attempts to minimize technical or legal requirements for an adequate investigation or cleanup is probably not the consultant you should be hiring.