

SELECTING AN ENVIRONMENTAL CONSULTANT FOR PETROLEUM CLEANUP

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. This fact sheet provides some basic guidelines for selecting a professional and reliable environmental consultant to help you clean up pollution caused by petroleum leaks and spills.

RESEARCHING CONSULTING COMPANIES

Contact several companies check on their experience, training, fees, and insurance coverage. Compare them to each other to determine which company 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. A poor design for a recovery system, unacceptable field procedures, lack of familiarity with state or federal requirements, or an inadequate investigation could cost you thousands of unnecessary dollars and could result in an incomplete clean-up.

Find out the following information about each company, and narrow your list of possible consultants to companies that answer 'yes' to most of these questions.

1. Does the company have experience performing petroleum related investigations and clean-ups in North Carolina?
2. Is the company staff trained in the use of field instruments and procedures?
3. Does the company own or have access to vapor-monitoring instruments, such as a HNu or OVA?
4. 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.)
5. Is the company familiar with the requirements of the NC Well Construction Standards?
6. Does the company have an established field protocol and chain-of-custody for sampling?
7. Is the company familiar with methods for treatment and disposal of petroleum contaminated soil, including land treatment, soil incineration, and on-site technologies?
8. Has the company installed any remediation systems? Have these systems been effective?
9. Have any of the clean-ups performed by the company been reimbursed by the North Carolina Leaking Petroleum Underground Storage Tank Clean-up Funds (State Trust Funds)? If any eligible sites were denied reimbursement, find out why.
10. Can the company provide you with the education and training backgrounds of the staff?

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 clean-up costs by the State Trust Fund, compare the company's fee schedule to the Reasonable Rates Document established by the Division of Waste Management (DWM) - UST Section. The State Trust Fund will not reimburse clean-up costs that are higher than the documented reasonable rates.

In typical petroleum-related clean up the majority of the project costs are associated with equipment and/or subcontractors. High costs also frequently stem from monitoring well installation, soil and groundwater sampling and analysis, soil excavation, soil treatment, and remediation system equipment operations and maintenance. Ask the consultant if any of these activities are subcontracted. Costs for some activities, which consultants often subcontract such as soil excavation or incineration, can greatly vary between contractors. Costs such as sample analyses tend to be fairly standard. Identify how you will be billed for the company's management of any subcontractor (normally done by a percentage of subcontractor cost). Refer to the Reasonable Rates Document, available from the DWM - UST Section, to determine if the subcontractor markups are within the maximum reimbursable rates of the State Trust Fund.

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. The list should include clients with NC petroleum release sites that required remediation systems and NC clean-ups submitted to the State Trust Fund for reimbursement. Once you have received a list of the consultant's previous clients contact some of them and ask the following questions:

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

You may want to contact any professional organizations you belong to or other businesses in your industry for references. In addition, the DWM - UST Section 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.

Making the Final Consultant Selection

Hire a consultant the same way you hire someone to build your home. Choose several companies

and request a bid for the project. Each proposal you receive should include:

- The scope of services for the project;
- Resumes of field staff and the project manager who will be conducting the work;
- An estimated work schedule;
- Anticipated subcontractors and their costs, and contractor related consulting fees;
- An estimate of the total project cost and an itemized fee schedule, and;
- References

Ideally, when you need a consultant for investigation and cleanup, you will have to go through the steps outlined in this fact sheet. However, in the event of an emergency, you may require the immediate services of a consultant until the situation has stabilized.

Under these circumstances, you won't have the option to fully investigate a consultant. If at all possible, contact several references before making a commitment. Consultants hired for emergency response do not have to be retained to complete the investigation. If you are unsatisfied with a consultant's performance in handling the emergency, don't feel obligated to keep that company for the remainder of the site investigation and cleanup.

Conclusion

It is in your best interest, both legally and financially, to hire experienced companies to handle cleanup of petroleum leaks and spills. As with any business situation, using a little common sense when hiring a consultant goes a long way. Remember:

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 reduce technical or legal requirements of an adequate cleanup is probably not the consultant you should be hiring.