

## The Environmental Corner

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## How To Select An Environmental Consultant

Selecting an environmental consultant is a business decision that should be more like selecting a personal doctor than selecting where to buy office supplies. Most consumers of environmental consulting services recognize that this is a complicated and important decision but still find themselves following a “standard” path that leads to “standard” results and “standard” problems – all of which could have been avoided by taking the time to become a better-educated consumer. This article will go through some of the selection and screening methods that small business owners use when selecting an environmental consultant to address their environmental liabilities.

Some small business owners will select their consultant because he, “seems like he knows what he’s doing and he’s a nice guy.” “Besides,” they say, “my friend tells me he is really good!” This method may be attractive, but it is not for the mature business person. A competent consultant with good references is needed, but those criteria alone are

not sufficient in making the best choice.

The old standby, price, is the simplest and common approach when selecting a consultant. In the environmental business, selection by pricing takes many guises. The most direct selection process is “bidding out the job.” The user of environmental services will ask for a quote from several consultants and then pick the “low bidder,” at times tossing out the recommended consultant. This approach is usually coupled with the

question to the consultant, “If you find contamination, how much will it cost to clean it up?”

Business owners selecting consultants through a bidding process will typically get one of three generalized responses: 1) low ball number; 2) a well-thought-out, phased approach with estimates based on hours and subcontractor costs; and 3) generalized hand-waving cost estimate that appears to encompass the clean-up

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## As Seen In...



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of soil, but will not get the site to regulatory closure.

The low-ball approach will almost certainly lead to a stack of change orders whereby, several years later, the business owner wonders how he got into his current mess and how he can get out of it. In this case, regulatory agencies often respond with "requests" for additional work to define the problem. These "requests" are regulatory demands which can come as a surprise to the business owner and make his evaluation of his consultant's work more difficult. While the low-ball consultant knows or should have known what to expect from the regulatory process, he knew when he offered up his low-ball bid that his client did not really want to hear the truth regarding the potential costs. After all...he was selected based on the cleanup approach and proposal.

The well-thought-out approach is not for the faint of heart, but neither is making mature and educated decisions in a difficult business climate. A phased approach is a method by which the consultant keeps the client apprised during the data collection process with pre-determined benchmarks or break points where the project status must be evaluated rationally based on the results of the preliminary work. The phased approach is situational; for example: if there is only a little contamination found in the soil, then the cleanup could be A dollars. On the other hand, if contamination is found in the groundwater, closure will require X, Y and Z, costing B, C and D dollars in order for the regulatory agency to be comfortable issuing closure.

The generalized hand-waving cost estimate is when the consultant

knows that he can get the job if he says what the customer wants to hear. These cost estimates include statements like, "We can probably clean the site up for A dollars," even though no environmental sampling has been conducted. The consultant will assume that a portion of the environmental cleanup can be achieved at a certain price, even though the site will not achieve closure by completing that specific task. Imagine a site that has soil and groundwater contamination – the consultant may be able to clean up the soil for a set price, but the site will not achieve closure without the completion of additional work to address the groundwater contamination.

Another factor that should be considered by a well-educated consumer is the consultant's experience with the specific problem. A consultant that has most of his experience in cleaning up gas stations is probably not the best consultant to clean up a dry cleaner. Gasoline behaves differently in groundwater than dry cleaning solvents, so specific experience is critical. Similarly, consultants that are focused on heavy equipment operation and pulling underground tanks are not typically the best consultants to write detailed environmental reports that can pass the regulatory scrutiny.

The current regulatory climate considers vapor intrusion to be a significant issue, so selecting a consultant with vapor intrusion expertise is important. However experienced, a good consultant should not have a pat answer on his remediation solution as that decision is best made by taking into account site stratigraphy, depth to groundwater, overall detected chemical concentrations and

other site-specific information.

Finally, the reasoned decision to select a consultant should include questions to the potential consultant such as, "If you were in my shoes, what would you do"? From the personal standpoint of an experienced environmental consultant, this can and should be the deciding factor for a well-educated client. A qualified consultant would know to ask for information from his client such as: How long has his client been at the location? Who is the property owner? Who is the business owner? What are his client's retirement plans? Is his client trying to sell the business? Did his client start the business or did he purchase it? Does his client have insurance policies that date before the mid-1980s?

If a consultant is not asking most of these questions, he may not be the most experienced or the best consultant to meet the needs of his client. At the very least, a good consultant should be interested in knowing whether his client would be solely responsible for the environmental problem or whether there are other responsible parties that have contributed to the environmental liability.

Selecting an environmental consultant is not easy if it is not done correctly. As the saying goes, "If it sounds too good to be true (especially considering other bids), it probably is." In summary: A consumer who bases his selection of a consultant on what he wants to hear and the lowest cost is setting himself up for problems in the future. While the truth can be painful, a mature, thoughtful and rational, business-minded approach is critical when dealing with such an important economic decision.