

Contaminated Property Considerations

Focus on Hiring an Environmental Consultant

This publication is for anyone looking to hire a consultant to investigate and clean up contaminated properties.

An environmental consultant is a professional who can help define your environmental problem, clarify cleanup steps, and offer cleanup solutions. Consulting services might include permitting, design and engineering, construction, sampling and testing, waste management, due diligence for property transactions, abatement, and cleanup. Their skills, experience, and track record can vary widely.

Consultants often manage a client's project by working with other environmental service providers, such as environmental attorneys, analytical laboratories, and construction contractors and their subcontractors. Construction subcontractors may include environmental drillers, excavators, and waste transporters.

Hiring an environmental consultant can be challenging. This publication is designed to help you find an environmental consultant. This guide is **not** a substitute for legal advice.

The Washington Department of Ecology doesn't endorse specific consulting firms. You can seek technical assistance for a fee from our [Voluntary Cleanup Program](#).ⁱ Our [Brownfields Program](#)ⁱⁱ can also help match your project to one or more of the wide range of federal and state funding and technical assistance opportunities. Find out more about our [cleanup options](#).ⁱⁱⁱ

Collecting information

You can begin researching consultants through websites and online reviews. You can also ask for referrals from colleagues, environmental and professional organizations, area businesses, chambers of commerce, and the [Better Business Bureau](#).^{iv}



During your research, consider the consultant's compatibility and credibility.

Compatibility with your cleanup goals

- Has the consultant worked with your type of site or facility?
- Do they provide the technical expertise and experience you need?
- Does the consultant have experience working in your city or county?

Credibility

- Do they have a good reputation?
- Can they offer dependable client references?
- Are they in good standing with relevant professional associations and industry peers?
- Do they have applicable professional licenses, certifications, and training?
- Do their staff have the necessary background?

Interviewing consultants

Interview at least three consultants. The interview process can help you define a work scope for the consultant to prepare a proposal for your project.

Questions to ask

Ask every consulting firm the same questions. If possible, speak with the person who will be your project manager and not sales staff.

Qualifications

1. How long have you or your firm been in business?
2. What kind of education, training, and experience do you have?
3. What licenses or certifications do you have?
4. Do you have professional liability insurance? If yes, does it cover pollution-related claims?
5. Do you and your subcontractors have environmental liability insurance? Ask for proof of insurance that would protect you from unexpected contamination exposures that may not be covered by standard casualty and property policies.
6. Are your field staff trained in safety procedures as required by the Washington Industrial Safety and Health Act (WISHA)?
7. Do you offer start-to-finish services, or are your services limited?
8. What are your working relationships like with regulatory authorities in this area?
9. What are your contract terms and provisions?
10. What is your record of completing projects on time and on budget for this type of work scope?

Professional certification

Documents containing geologic, hydrogeologic, or engineering work must be stamped by an appropriately licensed professional. For guidance on what work requires a license, see:

- Geologists: [Chapter 18.220 RCW](#)^v | [Chapter 308-15 WAC](#)^{vi} | [Licensing Board](#)^{vii}
- Engineers: [Chapter 18.43 RCW](#)^{viii} | [Title 196 WAC](#)^{ix} | [Licensing Board](#)^x

Related cleanup and project-specific experience

1. Have you worked on other cleanups of soil, groundwater, surface water, sediment, or indoor air (as appropriate) following Washington's Model Toxics Control Act requirements? If so, what cleanup methods did you use or recommend?
2. What projects have you completed in Washington? Can you provide references for these projects? May we contact them?
3. Do you use a certified laboratory for analyzing environmental samples?
4. What is your track record for obtaining appropriate regulatory permits?
5. If Ecology requests more information after the cleanup project is completed, would it cost more money for you to provide it?
6. What guarantee will you provide that your services will be accurate and adequate to bring my project into compliance?
7. Which portions of the work scope would you subcontract? Are subcontractor activities competitively bid? Ask for a list of subcontractors, and check their experience.

Time commitments and staffing

1. How much of my time will you require during the project? What are my responsibilities to help you complete the project on time and on budget?
2. How will the investigation and cleanup work affect on-site activities (employee work schedules, relations with customers and neighbors)? Briefly describe your recommended approach to the work.
3. Who will be assigned to my project? Are they available to work in Washington? Who will review deliverable reports before submittal to Ecology? Ask the consultant to specify staff roles.
4. Will assigned staff be available over the course of the project? Will you provide additional staff assistance, if needed, to finish the project?
5. How will you control costs effectively so that short-term work will complement potential long-term work?

Providing information to the consultant

During your interviews, share as much information about your project as possible. Then share the same information with each consultant you contact. Tell them what you know about possible contamination.

Be ready to answer their questions. Common property information to share with a prospective consultant includes:

- Current and historical land use and business operations
- Products and materials currently or historically used, stored, recycled, spilled, or disposed
- Potential areas and sources of contamination (storage tanks or areas, waste disposal sites, leaking equipment)
- Water supply source
- Land use of surrounding properties

Requesting project proposals

At the end of each interview, ask the consultant to prepare a written project proposal that:

- Describes an appropriate scope of work
- Predicts a project schedule
- Sets milestones
- Estimates billing rates and fees
- Identifies work product deliverables
- Includes current resumes and references for the project manager and other staff who will support the project



Underground storage tanks can be a potential source of contamination.

Reviewing proposals

Carefully compare each consultant's proposal and their responses to your interview questions.

Proposed tasks, deliverables, and project schedules should be consistent and comparable. Question anything in the proposals you don't understand or didn't request.

Understanding cost effectiveness

The lowest-cost proposal may not always offer the best value or performance. A higher-cost proposal may save money in the long run, if its work scope can be completed as scoped, and changes are not needed. When reviewing the proposals, consider the following:

- Are the consultant's fees within your budget?
- Do they offer flat-fee rates for specific services?
- Does what you're paying for make sense?
- Are public funding sources available to help your cleanup project?
- Has the consultant offered a detailed and complete work scope?
- What services would be extra or out-of-scope?

Signing a contract

All contracts must be offered in writing. Your contract should identify the scope, schedule, budget, and who will perform the work. The contract should also reference the specific proposal you received.

Contracts should contain a work scope that includes:

- Details of tasks to be performed
- Specifics on the training of staff required to perform those tasks
- Schedule of when the tasks are to be performed and completed
- Costs for each task to be performed

Before signing, clarify anything you don't understand in the contract. When reviewing the contract:

- Identify expectations and deliverable work products, such as reports or permit applications.
- Understand how fees are determined and accrued for anticipated expenses (hourly rates for various staff who may contribute to your project, overtime or "after-hours" compensation, flat fees for specific services, travel expenses, and laboratory and other testing expenses).
- Identify the payment terms, method, and schedule (lump sum, hourly charges, monthly bills).
- Ask if you will be charged for follow-up communications after project completion.
- Include conditions of pollution liability insurance coverage and its policy limit amount.
- Identify other types of insurance, and their policy limits, to be carried by the consultant (commercial general liability insurance, workers compensation, professional liability insurance).

Related Information

- [Online cleanup guide for homeowners and small businesses](#)^{xi}
- [Independent Contractor Guide: A Step-by-Step Guide for Hiring Independent Contractors in Washington State](#)^{xii}
- [Verify a Contractor, Tradesperson or Business](#)^{xiii}



Policy & Technical Services Unit
Toxics Cleanup Program
360-407-7170



To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

ⁱ <https://ecology.wa.gov/VCP>

ⁱⁱ <https://ecology.wa.gov/Brownfields>

ⁱⁱⁱ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-process/Cleanup-options>

^{iv} <https://www.bbb.org/>

^v <http://app.leg.wa.gov/RCW/default.aspx?cite=18.220>

^{vi} <http://app.leg.wa.gov/WAC/default.aspx?cite=308-15>

^{vii} <https://dol.wa.gov/professional-licenses/geologists>

^{viii} <http://app.leg.wa.gov/RCW/default.aspx?cite=18.43>

^{ix} <http://app.leg.wa.gov/wac/default.aspx?cite=196>

^x <https://brpels.wa.gov/engineers>

^{xi} <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Guidance-for-residential-cleanups>

^{xii} <https://lni.wa.gov/forms-publications/F101-063-000.pdf>

^{xiii} <https://lni.wa.gov/licensing-permits/contractors/hiring-a-contractor/verify-contractor-tradesperson-business>