

Taking Charge of Site Assessment

By Peter Garcia

As the saying goes, time is money. This couldn't be more true than while navigating the process of school site assessment and approval by the Department of Toxic Substances Control (DTSC). Because this process depends on individual site conditions, it can vary widely and result in unpredictable delays and cost overruns. Because it can be highly technical, school districts must often rely on the expertise of consultants and DTSC. However, districts are ultimately responsible for project decisions, schedules, and budgets. They can and should take charge of the process. To do this, districts can focus on three parts of the process: 1) choosing a consultant; 2) tailoring the workplan; and 3) understanding your follow-up options.

1. Choosing a Consultant

Choosing a consultant is like choosing a lawyer or any other expert advisor: you save time and money if you invest a little extra time and effort up front. The consultant is your expert scientist, the

primary strategist, and the liaison with DTSC. If you don't already have a preferred consultant, you can get names from a trusted colleague, other districts, or at conferences; even DTSC may give you a few names. Check qualifications carefully for years of experience and relevant projects. The proposed project team should have completed the DTSC process successfully, and team members should have appropriate licenses and registrations: either PG, REA II, or PE. Check references and other former clients diligently.

Most importantly, interview prospective consultants. This may seem obvious, but many districts don't. The consultant should know the DTSC regulations, guidance documents, and risk assessment methodology specific to schools. Some questions to ask are:

- What are typical costs for an elementary school, middle school, or high school on a former agricultural or industrial site?

- What triggers a Preliminary Environmental Assessment (PEA) instead of a Phase I?
- Is DTSC oversight always required? If not, please explain.
- What do you anticipate that DTSC will require for our site?
- What you find out about a consultant in an hour-long interview can save hundreds of hours and thousands of dollars later in the process.

2. Tailoring the Workplan: Site Specific vs. Cookie Cutter

When formulating a workplan, a bullet-proof understanding of site conditions pinpoints the focus of efforts, ensures that all issues are addressed, prevents duplication, and reduces the possibility of discovering a fatal flaw late in the process. Therefore, provide any previous studies or other information to the consultant, and collaborate with them to develop a cost-effective strategy that meets anticipated DTSC and site requirements.

To stay in charge of the process, you need to work with the consultant to understand all your options and which best fit your priorities. The workplan may unfold very differently depending on, for instance, whether you're crunched for time or want to guarantee there are no surprises. Would it be appropriate to go straight to a PEA? Or could you avoid a PEA altogether by doing a more robust Phase I? Should you do some preliminary sampling to clarify site conditions? One district was able to save thousands of dollars and months of time by consolidating contiguous sites for three schools and conducting one PEA for all three.

If you don't have a well-thought-out plan and DTSC is given the lead, you can typically expect it to take a very conservative approach. Without site-specific information, the agency will adopt a general approach that includes a lot of sampling. The result can be a workplan that entails more than is



necessary or required by law – and is more expensive and time consuming. Remember, DTSC's role is that of peer reviewer; it has the power of approval, but it is not the project manager. You should never ask the agency what to do.


Attend the scoping meeting even though the consultant usually leads the negotiating. The consultant should present the plan you worked out and explain the reasoning behind it. If DTSC asks for more extensive investigation or other revisions, it is the consultant's job to offer a reasonable response based on evidence that leads DTSC to concur. If the consultant looks to DTSC for guidance, it should be a red flag for you.

3. Follow-up Options

This step encompasses two points in the site assessment process: planning for the follow-up investigation and for remediation. After the PEA report has been submitted and if contaminants were discovered at the site, you will have options for how to proceed. The goal of the follow-up investigation is to discover the full extent of contamination; this may entail groundwater and other testing, as well as further soil sampling. The consultant should offer alternatives for handling this follow-up. For instance, you may request partial site approval from DTSC so that you can obtain full CDE site approval and go forward with development on the portion of the site that is not impacted.

The results of this investigation determine whether remediation is necessary. If so, you will need to develop a Removal Action Workplan. This is the final opportunity to direct the process. Once again, the consultant should be able to offer you several alternatives, such as replacing soil, long-term monitoring, or employing a cleanup technology (e.g., soil-vapor or groundwater extraction). Ask about how these remedies will fit with school operations. Can you avoid more extensive remediation by changing the site plan so that buildings and playgrounds are not on top of the problem area?

Things to Keep in Mind

The site assessment process is ideally a collaboration between the district, the consultant, and DTSC, and the first rule of effective collaboration is communication. Give your consultant the fullest information available as soon as you can and make sure they inform you of any critical data gaps. There's always a chance for unpleasant surprises in site assessment; sharing information can reduce that chance. Let DTSC and the consultant know about your key deadlines and stay in charge of the project schedule. Staying in charge means staying involved. Don't hesitate to ask questions throughout the process. If DTSC or your consultant call for sampling that seems excessive, ask them to provide the information that supports their rationale and make sure that it does. This kind of involvement takes time and effort, and districts can be hard pressed to make such a commitment, but the savings – in both time and money – can be immense. 

Peter Garcia is the Director, Site Assessment Strategies for The Planning Center in Costa Mesa, California.

The Coalition for Adequate School Housing published "Working With Environmental Consultants – Best Practices for Selecting and Retaining Environmental Services" in 2005. A few copies of the handbook are still available for purchase from the C.A.S.H. office. Please contact Meagan Poulos at mpoulos@m-w-h.com or (916) 448-8577.

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