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How to hire a contaminated site consultant or an Accredited Auditor

Assessing contaminated sites is often a complex process that requires expertise in a range of scientific disciplines such as soil science, hydrogeology and toxicology. Landowners, occupiers and property developers are likely to require the services of a qualified contaminated site consultant with the appropriate level of experience in dealing with land contamination to undertake a site investigation in the following circumstances:

- When a site is suspected of posing a risk to human health and/or the environment.
- When fulfilling a Planning or Ministerial Condition relating to contamination.
- When the Department of Environment and Conservation (DEC) has issued a regulatory notice (investigation or clean up notice) in relation to a contaminated site, under the *Contaminated Sites Act 2003* (Act).
- When a person is requesting a Certificate of Contamination Audit under the Act.
- When an owner/occupier is concerned about contamination spreading from another property onto their land.
- When a prospective buyer of a site requires confirmation of its contamination status as a condition of sale.
- When submitting a report on site investigations and/or remediation to DEC.

Finding a consultant

Finding an appropriate consultant to conduct a site investigation is a task that needs to be undertaken carefully. Landowners, occupiers and property developers should ensure that their chosen consultant is competent and is aware of, and able to meet, current DEC guidelines and relevant industrial practices.

Refer to the following sources of information to find a contaminated site consultant:

- **Australian Contaminated Land Consultants Association (WA)**
www.aclca-wa.org.au
- **Environmental Consultants Association (WA)** –
www.eca.org.au
- **Yellow Pages** under “Environmental &/or Pollution Consultants”
www.yellowpages.com.au

It is recommended that you request proposals from at least three independent consultants. You should conduct your own initial screening process by asking them about their qualifications and previous project experience. You should also outline issues that may apply to your particular site. The consultant should be able to clearly outline what is included in a site investigation, the estimated time required, total price, and how it will meet the minimum requirements set out in the DEC *Contaminated Sites Management Series* of Guidelines. These guidelines are available from www.dec.wa.gov.au/contaminatedsites.

It is very important these standards are met to ensure DEC doesn't return the report without assessment.

Consultants qualifications and competencies

Before accepting a proposal, it may be useful to ask the consultant/firm about some or all of the following:

- The consultant's previous experience. Most consultants will readily supply information on completed projects and the experience of individual staff members.
- A list of projects completed by the consultant that has similarities to your own project's requirements.
- Contact details/referees of previous clients. You should contact previous clients to confirm the consultant's level of technical and management capabilities.



- The consultant's understanding of the DEC *Contaminated Sites Management Series of Guidelines*, the *Contaminated Sites Act 2003* and the *Environmental Protection Act 1986*.
- The consultant's familiarity/experience working with the State Government and other relevant authorities.
- The consultant's experience in developing sampling and analysis programs or remedial action plans, complete with proper quality assurance protocols.
- The consultant's knowledge of the technologies and methods available for treating contaminated soils and groundwater.
- The consultant's knowledge of the relevant scientific literature for assessing the impacts of contamination on human health and the environment.
- Confirm the professional credentials of the consultant before engaging their services.

The consultant's proposal should include:

- Detailed cost estimates - ensuring the scope of work is clearly defined.
- A start and finish date.
- Hourly rates for work that falls outside of the agreed scope of work.
- Any subcontractor costs e.g. drilling companies, excavators, earthmoving, laboratory analysis (if required).
- Clarification on work (if any) that is to be performed by subcontractors, what their role is and who will be supervising them.
- Evidence of appropriate insurance coverage, i.e. professional indemnity, public liability, and workers compensation.
- A submission of the reports and follow up liaison with DEC and other government agencies such as local government, Department of Health and Department for Planning and Infrastructure.
- A list of referees that can endorse their standard of work.

Selection and appointment

Having selected the preferred consultant, a letter of appointment should then be issued which clearly states the terms of engagement, including the method of invoicing, time of payment, and conditions when the contract may be terminated.

Involving a DEC Accredited Auditor

The work performed by your chosen consultant will need to be reviewed by a DEC Accredited Contaminated Site Auditor if your investigation requires assessment by DEC. To remain time and cost effective, it is recommended that you involve the Auditor at the outset of your project. Auditor's fees are likely to be charged at an hourly rate.

Mandatory Auditor's reports are required in the following circumstances:

- When a regulatory notice is issued under the Act
- When a certificate of contamination audit is requested
- When contamination has moved away from the property on which it originated, to affect other properties (i.e. the site is a 'source site')
- When a report is submitted in order to comply with a planning or Ministerial condition or similar statutory requirement.

In addition, the CEO of DEC may request an Auditor's report for a site which presents complex technical issues or sites where inadequate reports have been provided.

Consultants may recommend particular Auditors for your investigation, but it remains your responsibility to hire the Auditor directly, independent of the consultant. A list of all DEC Accredited Auditors is available from www.dec.wa.gov.au/contaminatedsites.

Need more information?

DEC has published a series of fact sheets and administrative and technical guidelines to assist with the assessment, management and remediation of contaminated sites in Western Australia; these are available by going to www.dec.wa.gov.au/contaminatedsites.

Further information is available by mail from the address below or by calling the Contaminated Sites Section on 1300 762 982.

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