

Environmental Assessment Newsletter

IN THIS ISSUE

- **What Do You Get For The Least Expensive Phase 1?**
- **Use of Environmental Database Radius Report**
- **The Real Skinny on Phase 2 Investigations**



Unlabeled waste in Oakland

What Do You Get For the Least Expensive Phase 1?

Key Conclusion: The least expensive Phase 1 project may not provide all the information necessary to evaluate the environmental risk at a Property. This could end up costing the user much more than expected if additional investigation is recommended.

Phase 1 investigations are an important first step to determine the financial risk of environmental contamination at a Property. Risks to a Property vary widely depending on factors such as 1) size and complexity, 2) age of development, 3) historical uses, and 4) nature of surrounding area. The Phase 1 must be done completely and accurately to reach proper conclusions and thus the efforts to complete a proper Phase 1 vary significantly.

There has been a trend of downward price pressure for Phase 1 projects. This is partly a result of competition and also a result of the trend toward digitization of records and on-line accessibility of records which makes research less costly. Users should understand the Phase 1 risk assessment process provides justification for further investigation and the project scope should never cut corners. Seeking the lowest price often turns out to be a case of “you get what you pay for”. The proper effort and corresponding cost for a proper risk assessment is a worthwhile investment. Too many consultants have a race-to-the-bottom approach and many do not take the effort to perform all the research necessary. Often these “gaps” lead to recommendations for unfocused random and risky Phase 2 projects (see Phase 2 article in this newsletter).



Oil spillage in Oakland

Recommendation - ERAS recommends users of Phase 1 reports ensure that all ASTM-required sources of information have been reviewed. This is especially important if Phase 2 recommendations are made. Contact ERAS for a free initial review of your Phase 1 report.

Use of Environmental Database Radius Reports

Key Conclusion: Environmental database radius reports are a tool used by environmental professionals (EP) to evaluate risk to a subject Property. It is up to the EP to decide which databases and which sites are important for a Property assessment.

Environmental database radius reports are ordered from outside companies for typical ASTM due diligence projects. These reports are a tool that is used by the environmental professional (EP) to evaluate risk of off-site sources of contamination to the subject Property. *Thus it is up to the EP to interpret the databases and decide which listings require additional evaluation, based on risk to the Property.*

Current commercially available database reports include a large number of supplemental and proprietary databases. Many of these databases include sites that are duplicate listings of sites in other databases, are lists of sites based on keywords that have them unnecessarily listed as potential risks and on databases indicating the routine and proper use of hazardous materials. Often the Property and many adjacent and nearby sites are found on these exhaustive listings.

ERAS has determined the database sites that are considered to pose the greatest threat to a subject Property, these are listed in our reports and are also at the top of the database listings on the database radius reports. As a normal method of operation, ERAS evaluates ALL the databases on the database radius reports to assess whether sites on supplemental or other databases could pose a threat that warrants further research or other action but does not list repeated or unnecessary sites to pad the report.

Recommendation - Users of Phase 1 reports should be extremely cautious of recommendations for additional work based solely on the listings of the databases.

The Real Skinny on Phase 2 Investigations

ERAS has over 25 years of experience in performing Phase 2 soil and groundwater investigation projects. ERAS follows the ABCs for these projects. **A**ssertion supported by **B**asis is necessary for **C**redibility. Without **A**ssertion and proper **B**asis for the investigation the results will be **C**rap.



Old dry cleaning machine

Almost all Phase 2 investigations are designed using a *biased sampling* approach. That is, there should be an assertion and basis (what and why) to investigate specific sampling locations. Without knowing specific locations, the only option is to perform a random sampling approach which, unfortunately, is the approach that is recommended by many Phase 1 project consultants. Random Phase 2 investigations are quite risky and usually very expensive if they are performed correctly.

ERAS has recently recommended in a number of cases, and will continue to recommend, that Property owners do not allow non-credible, random Phase 2 investigations to be performed, regardless of what a Phase 1 consultant or a bank recommends. The economic liability of the owner for potentially spurious Phase 2 investigations is far too high.

Recommendation - ERAS recommends that any recommendations for Phase 2 investigations be scrutinized for proper assertion and basis. Please contact us for an evaluation if Phase 2 recommendations are made by your Phase 1 consultant.

ERAS is dedicated to solving and resolving environmental issues and problems.

**HAPPY HOLIDAY FROM ALL OF US – Dave Siegel, Curtis Payton, Skip McIntosh,
Andrew Savage, Kasey Cordoza & Joanna Wilk**

If you have any questions regarding the information in this newsletter, ERAS services, or if you have a subject you would like to read about in a future newsletter, please call David Siegel at 510.247.9885 (ex. 304) or send us email at info@eras.biz