

DEFINITIONS

Definition of Environmental Professional found at 40 CFR Part 312.10

Environmental Professional means:

(1) A person who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases (see § 312.1(c)) on, at, or to a property, sufficient to meet the objectives and performance factors in § 312.20(e) and (f).

(2) Such a person must:

(i) Hold a current Professional Engineer's or Professional Geologist's license or registration from a State, Tribe, or U.S. Territory (or the Commonwealth of Puerto Rico) and have the equivalent of three (3) years full-time relevant experience; or

(ii) Be licensed or certified by the Federal government, a State, Tribe, or U.S. Territory (or the Commonwealth of Puerto Rico) to perform environmental site inquiries as defined in §312.21 and have the equivalent of three (3) years full-time relevant experience; or

(iii) Have a Baccalaureate or higher degree from an accredited institution of higher education in a discipline of engineering or science and the equivalent of five (5) years of full-time relevant experience; or

(iv) Have the equivalent of ten (10) years of full-time relevant experience.

(3) An Environmental Professional should remain current in his or her field through participation in continuing education or other activities.

(4) The definition of Environmental Professional provided above does not preempt state professional licensing or registration requirements such as those for a professional geologist, engineer, or site remediation professional. Before commencing work, a person should determine the applicability of state professional licensing or registration laws to the activities to be undertaken as part of the inquiry identified in § 312.21(b).

(5) A person who does not qualify as an Environmental Professional under the foregoing definition may assist in the conduct of all appropriate inquiries in accordance with this part if such person is under the supervision of a person meeting the definition of an Environmental Professional provided above when conducting such activities.

Definition of Relevant Experience

Relevant Experience as defined in 40 CFR Part 312:

Relevant Experience, as used in the definition of Environmental Professional in this section, means: participation in the performance of all appropriate inquiries investigations, Environmental Site Assessments (ESAs), or other site investigations that may include environmental analyses, investigations, and remediation which involve the understanding of surface and subsurface environmental conditions and the processes used to evaluate these conditions and for which professional judgment was used to develop opinions regarding conditions indicative of releases or threatened releases (see § 321(c)) to the subject property.

Relevant experience as developed by Washington Office Workgroup (with BLM modifications):

Generally, there are three categories of relevant experience that can be used to determine experience qualifications which are as follows:

1. ESA work to include Preliminary Analysis, Initial Assessment (IA), Phase I, Phase II, and Phase III, which will always be considered relevant.
2. Comprehensive Environmental Response, Compensation, and Liability Act Preliminary Assessment (PA) and Site Inspection (SI) experience, which will always be considered relevant.
3. Other environmental experience that mirrors the underlying processes of conducting ESAs, which would need to be evaluated for relevancy on a case-by-case basis.