

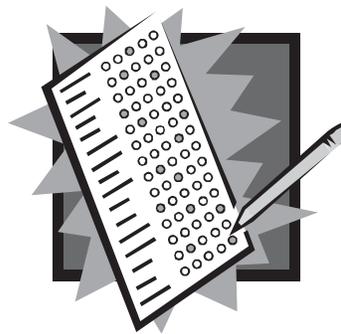


TECHNOLOGY TAKES HOLD: CLIENTS, AAI LAW DRIVE NEED FOR EFFICIENCY

At a time when the pressure to deliver accurate Phase I reports quickly is already intense, EPA's developing All Appropriate Inquiries law is nearing promulgation. For some firms, the new requirements will ramp up the level of effort required to complete a Phase I environmental site assessment. At the same time, the Phase I industry, like so many others, is evolving toward more automation. The results of EDR's 2004 Benchmarking Survey of Environmental Professionals indicate that client demands and AAI are converging to drive more consultants toward automation. The survey included questions on the adoption rate of technologies, such as personal digital assistants (PDAs) and automated report writing platforms. We also added new questions on the federal AAI rule to gauge how consultants are already preparing for the new requirements. The staff of ESA Report is grateful for all of the experts who took the time to provide their input in this effort. This month's feature story shares the key findings from our latest survey, compares 2004 benchmarks to results from past surveys, and highlights why consultants who have not yet incorporated new technologies into their Phase I practices may want to rethink that decision.

~ Dianne P. Crocker, Editor

Ironically, as the Phase I process becomes more complex, the timeframe for completing a commercial real estate transaction is contracting. Particularly with the AAI law approaching, this "need for speed" is of serious concern for Phase I providers. The results of EDR's Benchmarking Survey of Environmental Professionals indicate that for a growing number of firms, technology holds the key to increased efficiency.



The survey was circulated to thousands of environmental professionals in August 2004. Nearly 360 respondents at 283 unique companies participated. The respondents collectively represent a balanced cross-section of Phase I professionals from junior-level staff to project managers to vice presidents and even CEOs and presidents. Although all company sizes were represented, the vast

majority of respondents are employed at small, one-office firms that conduct fewer than 50 Phase Is annually (see Figures 1a and 1b on p. 4). Roughly one-third of respondents work at companies conducting Phase Is at two to five offices or conduct 50 to 500 Phase Is annually. At the other extreme are respondents from multi-office operations conducting thousands of Phase Is annually. From this broad-based sample of Phase I ESA providers, the following survey results emerged:

- The average Phase I turnaround time is decreasing: nearly half of respondents complete a basic Phase I ESA in 10 to 20 hours (excluding travel);
- The percentage of firms taking 15 business days or more to complete a Phase I increases from 22% for a basic Phase I to 50% when non-scope items are added;
- 81% of respondents' clients demand electronic report delivery compared with only 44% two years ago;
- The second phase of PDA and platform adoption has begun; and
- Consultants are looking to technology as a way to mitigate the impact of the AAI law.

Crunching the Numbers

The pressure on consultants to deliver basic Phase I ESAs quickly is still intense. In 2004, three out of four survey respondents indicate that a basic ASTM E 1527-00 Phase I (i.e., no non-scope items) takes 10 to 30 hours to complete, excluding travel (see Table 1). In just one year, the percentage of consultants completing their Phase I reports in less than 20 hours increased from 43% in 2003 to just over 50% in 2004. Not surprisingly, the report writing component remains the most

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Table 1. Hours to Complete Basic ASTM E 1527-00 Phase I ESA

Time	% of Respondents
Less than 10 hours	6%
10 to 20 hours	45%
20 to 30 hours	31%
30 to 40 hours	13%
More than 40 hours	5%

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Bolstered largely by continued strength in the federal sector, the financial returns of the five companies in the *ESA Report* index reflect the same slow and steady growth of recent quarters. At the state and local government level, persistent weakness continues, although there are indications that portions of these markets are beginning to recover. In private sector markets, most clients are still cautious about proceeding with major spending projects. With the end of the calendar year approaching, companies are beginning to anticipate stronger private sector markets in 2005.

Nine Percent Revenue Growth

The revenues for the five publicly-traded consulting firms shown in the accompanying graphs reflect nine percent growth overall for the latest quarter compared to the corresponding quarter of 2003. This is a slight contraction from the previous quarter in which these same five companies reported growth of 11%. The strongest quarterly revenue growth was reported by Versar (20%) followed by TRC (17%) and Tetra Tech (13%). URS attributes its eight percent revenue growth for the latest quarter to a higher volume of work from federal clients, albeit tempered by private sector clients whose spending was slightly lower than expected.

Federal Awards Fuel Growth

For most companies in the index, opportunities in the federal sector continued to be strong. URS's revenues from its federal government clients for the latest quarter increased approximately 21% compared with the same period last year due to pos-

itive trends in spending on engineering and technical services. Tetra Tech also reported organic growth for the quarter, driven in large part by its federal government business; specifically, larger long-term contracts with the Department of Defense and the Department of Energy.

State and Local Markets Soft

State and local governments are still recovering from the budget difficulties of the past two years, resulting in continued weakness and intense margin pressure in these markets. Spending constraints have had an adverse impact on ESAs related to infrastructure projects, with delays reported on projects related to highway and other transit work. One bright spot of activity is in site assessments for new schools. In general, the firms in the index reported only limited project expenditures by their state and local government clients, with expectations for this market to remain soft until at least the first half of 2005.

Major Corporate Projects on Hold

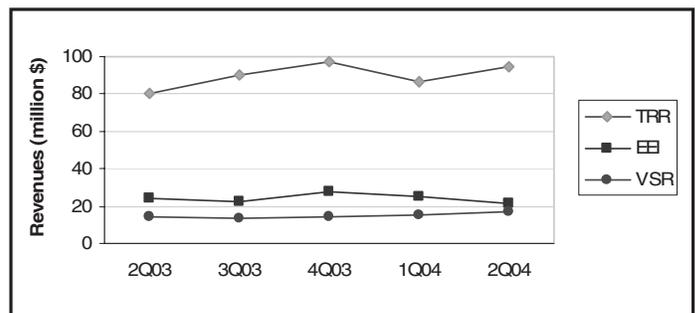
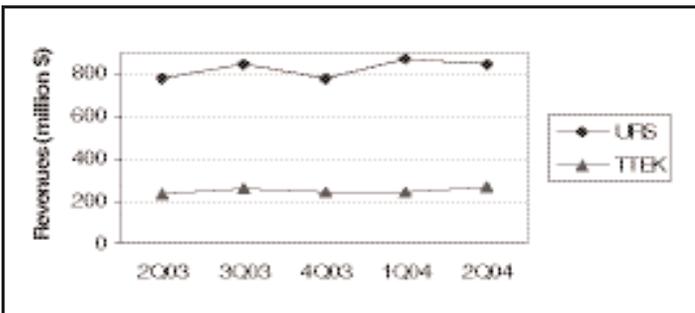
Consulting firms reported constrained capital spending as businesses await more favorable economic conditions. URS, for example, reported a seven percent revenue contraction from domestic private industry work compared with last year. Although there are signs of recovery in capital spending from the private sector, many clients are still cautious. Tetra Tech reported continued weakness in its private sector markets, but did report that its workload in the wireless communications business improved. In mid-September,

TRC received a \$15 million Exit Strategy contract with Kaiser Aluminum & Chemical Corporation under which TRC will take title to three discontinued facilities and implement environmental remediation requirements at each property.

Strategic Plans for 2005

The latest financial results also revealed new strategies for 2005. Versar, for instance, in an effort to broaden geographical coverage, is undertaking a major organizational restructuring. The company will reorganize into the following three groups: Infrastructure and Management Services, National Security, and Engineering and Construction Services. The reorganization reflects Versar's strategy to focus business on larger, higher-margin contracts. TRC plans to focus primarily on redirecting its resources to the high-growth geographic markets of the southern Connecticut-to-Philadelphia corridor, the Texas/Louisiana/Oklahoma region and the far western US.

The results of EDR's 2004 *Benchmarking Survey of Environmental Professionals* provide interesting food for thought as 2004 comes to a close. The vast majority of respondents expect the number of Phase Is conducted in 2004 to increase over 2003. Expectations for the strongest growth are in traditional commercial real estate markets. Respondents are also optimistic about work in the corporate sector as expansion plans and mergers and acquisitions are on the rise. Brownfields projects are expected to increase, largely due to the new CERCLA liability protections under the federal brownfields law. ■





ASK TONY

What is required under the ASTM E 1527-00 standard for updating an existing Phase I ESA? Must I update every component of the report?

D.P., Indianapolis, IN

D.P. – Under Sections 4.6 and 4.7 of ASTM E 1527-00, the general procedure for updating an “old” Phase I report (older than 180 days) is as follows:

- Assess whether the prior Phase I was conducted in accordance with the ASTM E 1527-00 standard (Section 4.7.1). If not, then identify the deficiencies and eliminate them.
- Assess whether any conditions apt to affect recognized environmental conditions in connection with the property are likely to have changed materially since the prior Phase I was conducted (Section 4.7.2).
- Perform a current investigation of conditions likely to affect RECs that may have changed materially since the date of the old report by, at a minimum, updating the historical information (from the date of previous historical research to the present) and the government records check, conducting interviews, and visiting the property to confirm what you have been told (Section 4.7.3).
- Information in the prior Phase I may not be used if the user or consultant has reason to question the accuracy of such information (Section 4.7.4).

Therefore, if the prior Phase I meets the E 1527 standard and there have been no material changes at the property, then the user can make the decision on the need for an update. If the user cannot make this determination, then the prior Phase I should not be relied on in its entirety without additional investigation.

Be aware that the requirements for updating an old Phase I for the purposes of qualifying a property owner for CERCLA liability protection are about to change under EPA’s developing “All Appropriate Inquiries” rule. Under the proposed AAI rule, a property owner may rely on infor-

mation from a prior Phase I conducted for the same property, but only if the information was collected or updated no more than one year prior to the current purchaser’s date of acquisition (defined as the date the owner takes title). The AAI proposal incorporates the same six-month shelf life as ASTM E 1527-00 for interviews, government records reviews, and visual inspections, but adds a six-month shelf life for searches for recorded environmental cleanup liens (may be conducted by the user or EP) and the declaration by the EP that the inquiry was conducted in compliance with the AAI rule.

What is the current status of ASTM’s E 2247-02 standard for Phase Is on forestland or rural properties? Like the E 1527-00 standard, does the forestland standard also qualify as sufficient interim guidance for conducting “all appropriate inquiries” until EPA finalizes the federal AAI rule? I know that the E 1527 committee is working toward revising the standard in response to the AAI rule. Are there any plans to do the same with the forestland standard?

L.C.

Boston, MA

L.C. – Under the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Amendments to CERCLA), Congress established interim standards for the conduct of all appropriate inquiries. For properties purchased after May 31, 1997 and until EPA finalizes the federal AAI rule (expected by year-end 2005), Congress stated that “the procedures of the American Society for Testing and Materials, including the document known as ‘Standard E 1527-97’...” will be sufficient interim protocol for meeting the AAI requirements under CERCLA. (EPA later clarified that the 2000 version of ASTM E 1527 was also sufficient.)

There are different schools of thought regarding whether Congress’ use of the plural “procedures” can be interpreted to

mean that ASTM standards other than E 1527 are not excluded from use in the interim. Certainly, one could argue that the process in the E 2247 standard closely follows E 1527, and is equally stringent. The reality, however, is that any determination about whether the use of E 2247 in the interim satisfies Congressional intent is up to the courts to decide.

The Phase I Task Group is currently revising the E 1527-00 standard to bring the process in line with the requirements of the federal AAI rule. If EPA is satisfied that the revised E 1527 standard is at least as stringent as the federal requirements, the agency will recognize E 1527-05 in the final rule as sufficient guidance. In response, the E 2247 Task Group is planning to revise the standard for consistency with the new rule and the revised E 1527. EPA will then decide whether to similarly reference the revised E 2247 in the final AAI rule. If EPA cites both ASTM standards, a property purchaser could follow either standard and be confident that the AAI criterion necessary to establish an innocent landowner defense or qualify as a contiguous property owner or bona fide prospective purchaser under CERCLA has been met. ■

The “Ask Tony” section of ESA Report is provided as a general information service for ESA Report readers, tapping into the many years of experience of EDR’s President and Chief Executive Officer, Anthony J. Buonicore, in the field of environmental site assessments and the requirements of the ASTM E 1527 and E 1528 standards. Mr. Buonicore is former chairman of the ASTM Task Group responsible for developing the ASTM E 1527 and E 1528 standards. The answers provided in this section do not represent the opinions or statements of the ASTM and are not meant to serve as definitive practice recommendations or requirements for any particular project. You should not base your approach to any particular project solely on the answers provided in this section and should always consult the specific language of the applicable ASTM standard. All risk of use of the information provided in this section lies with the user. Neither EDR nor Mr. Buonicore shall have any liability for any loss, cost or damage incurred by anyone as a result of such person’s use of the information provided in this section. ■

Figure 1a. Distribution of Respondents by Number of Offices Conducting Phase I ESAs

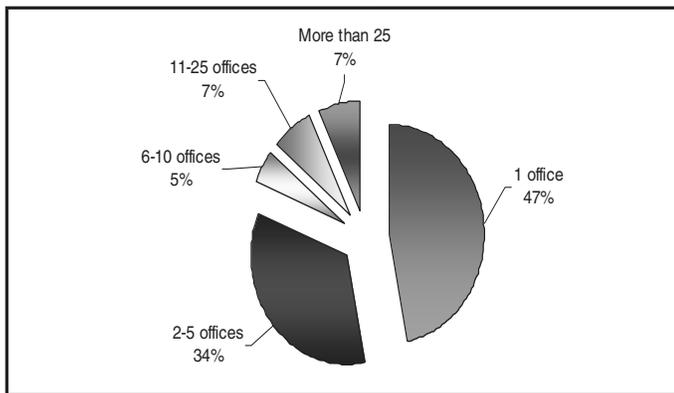
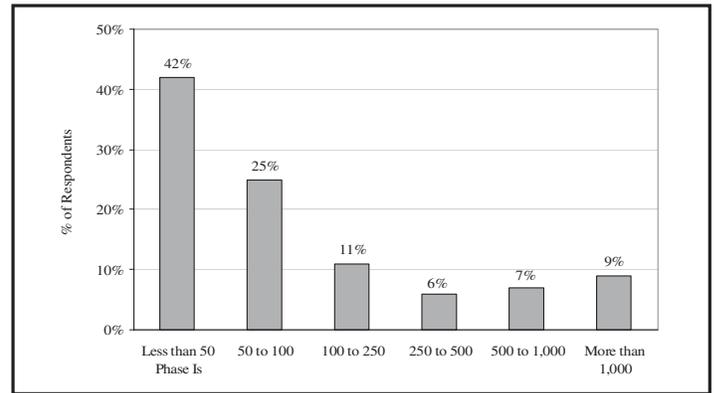


Figure 1b. Distribution of Respondents by Number of Phase Is Conducted



time-consuming step. Nearly 80% of respondents spend more than six hours writing a typical Phase I report (see Table 2). As shown in Figure 2 (on p. 6), 68% of respondents complete Phase Is in 7 to 15 business days. Distributing the results by company size reveals an interesting result: Only a small percentage of large firms take more than 15 days to complete a basic Phase I compared with nearly 25% of small-sized firms and 22% of mid-sized firms.

Consultants today face growing demands for a broader scope of services that go beyond the basic ASTM E 1527 scope. Consider pre-defined scopes of work. Today, only one in seven clients uses a pre-defined scope of work, compared to one in six clients two years ago. This is reflective of the fact that Phase Is are increasingly customized to the deal, a trend that raises the bar for consultants. Figure 3 (on p. 6) demonstrates the effect that an expanded scope of work has on

turnaround time. As expected, the trend toward assessing such non-scope issues as asbestos and lead-based paint adds time to the process. Clients often demand that Phase Is meet challenging schedules, but do not necessarily give consultants a commensurate increase in the time necessary to complete the work. This is leading to intense pressure on consultants to improve efficiency, driving the trend toward more automation in an effort to streamline the process.

Technology Focus 1: Electronic Delivery

The technology trend that has gained the widest acceptance in the past two years is electronic report delivery. Today, 81% of respondents face demands from clients for electronic report delivery, a dramatic increase over only 44% two years ago. Sixty-one percent of respondents indicated that their reports are always delivered

in electronic format, and only sometimes delivered in hard-copy as well. Commonly, the body of the Phase I report is delivered electronically with the appendices and supporting documentation provided in hard copy, due largely to the difficulty associated with scanning large volumes of attachments. The trend toward electronic delivery indicates that the Phase I industry is moving quickly toward an “electronic world,” making it critical for consultants to stay up to speed with new technological developments.

Technology Focus 2: PDAs

The use of handheld devices by Phase I providers is also becoming more widespread, albeit at a slower rate than electronic report delivery. In 2001, the early adopters of PDA technology represented less than one percent of Phase I providers. Now, nearly one in ten consultants use handheld devices for the onsite input of field observation data, a two percent increase over 2003. This trend is consistent with many other service industries that have already embraced PDA use in the field. Health care providers, for example, often use PDAs to collect medical data during house visits; moving companies routinely use PDAs now to inventory house or office content on-site to streamline the process of calculating rate estimates; and automobile insurance providers commonly use the pull-down menus on PDAs to facilitate the processing of claims for damages from theft or accidents.

Table 2. Distribution Level of Effort by Phase I Component

Phase I Action Item	1 to 2 hours	3 to 5 hours	6 to 8 hours	9 to 12 hours	More than 12 hours
Government records review	51%	41%	6%	2%	0%
Historical use information review	34%	55%	9%	2%	0%
Interviews	75%	24%	1%	0%	0%
Site Visit	29%	53%	17%	1%	0%
Report Writing	3%	20%	35%	26%	16%
Quality Review	73%	22%	4%	1%	0%

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Getting Down to Business

Out With the Old, In With the New

In today's competitive market, Phase I providers need to learn how to master a new way of thinking: selling value. This requires that consultants, first and foremost, know their clients' needs. If this concept leaves you scratching your head, you are certainly not alone. It is easy (and yet risky) to lose sight of the most important aspect of your operations: your clients. It is easier still to fall into the trap of thinking you know what's best for your clients, rather than responding to their needs. A more prudent way to do business is to find out what your clients value, make sure you offer it, and then sell them on the benefits that your Phase I services bring to their business. But what exactly does "selling value" mean? Rather than telling you in terms of abstract ideas, let's look at a real-world case study.

A Phase I ESA provider recently shared a success story that involved using a new way of selling to win over a financial institution. First, the consultant took the time to learn about the client's needs, and then demonstrated how his ESA services could meet those needs better than any other provider.

Step 1: Know the Client

Certainly there is value in researching a potential client online, reading their publications and reviewing their website, but the only real way to learn about a client is by personal contact and asking the right questions. Only by learning how a client conducts business can you help them do it better. This is exactly what the environmental firm (XYZ Consulting, for the purposes of example) in our case study did.

First, XYZ met face-to-face with the financial institution to discuss the way their Phase I ESAs were being conducted. XYZ asked specific questions about what was working, and, more importantly, what was not. By listening to the answers, XYZ was able to find out that the bank was frustrated by an inability to track the progress of a Phase I as it was being con-

ducted. XYZ also discovered that it was not uncommon for the bank to need to locate an old Phase I conducted on an outstanding loan, but that this task often turned into a frustrating, time-consuming effort.

After the information-gathering session, XYZ made a list of the client's needs, including the ability to check the status of the Phase I at any point during the project and the functionality to access previous Phase I Reports.

Step 2: Wear the Client's Shoes

Armed with this information, XYZ was then able to put itself in the bank's shoes and develop a unique solution. XYZ offered the bank a Phase I service based on the electronic transfer of data from the field using personal digital assistant (PDA) technology. The data would then be electronically transferred over the Internet and automatically integrated into the Phase I ESA report format at XYZ's office. This approach would eliminate the most time-consuming portion of the Phase I process (the hours spent writing the report), resulting in a faster turn-

around time for the client. This electronic system would also allow the client to check the status of the project at any time by merely going online and accessing XYZ's website. The significant time and effort it took XYZ to improve the way the bank's Phase Is were conducted paid off in the form of a new project followed by repeat business from the bank.

Step 3: Sell Value and Solutions

Getting to know the client's concerns upfront allowed XYZ to demonstrate that its service could eliminate the client's frustrations with their current system. The key to effective selling, first and foremost, is learning how to speak in a language the client will understand and demonstrating benefits on a concrete basis. In our example, such concrete evidence was expressed in terms that hit home with the client: instant accessibility to project status, electronic means of storing old reports, and time savings through the use of the latest technology.

In the end, XYZ distinguished itself from the competition because no other firm anticipated, and met, the bank's needs as well. XYZ used what we refer to as the new way of selling (see table). It is no longer enough to say that you "offer an accurate, high quality Phase I report."

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Table 1. Ways of Selling: Old vs. New

Old Way of Selling	New Way of Selling
Promote your firm in broad terms	Be as specific as possible about what your firm can deliver
Use technical jargon	Speak in language the client will understand
Tell your client what you think they need	Identify the client's needs and then demonstrate your understanding of those needs by developing a customized pitch for the client
Market your "highly-experienced" staff	Use specific examples of why your staff is uniquely qualified to help your client solve problems
Offer a "high quality" service	Show the client a user-friendly report that incorporates features of interest to the client
Directly sell benefits	Demonstrate value to the client in terms of concrete benefits (e.g., time savings, cost savings, etc.). To the best of your ability, quantify the specific benefits that your services will bring (e.g., if your service can save your client time, how much? If your service will save your client money, how much?)
Promise the highest available level of client service	Show your client that you will put his/her needs first. Demonstrate this, for example, by being accessible to your client 24 hours a day/7 days a week.

Feature Story

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In the Phase I industry, the average firm is beginning to realize the benefits that early adopters of PDAs enjoyed. For those respondents who now use PDAs in the field, the hours saved during site reconnaissance are as follows:

- Less than 1 hour.....33%
- 1 to 3 hours.....48%
- 3 to 5 hours.....19%

Given that the average time to complete a site visit is between 3 to 5 hours (see Table 2 on p. 4), PDAs have the potential to cut this time in half. The PDA adoption rate currently seems to mirror the adoption rate of digital cameras. If the PDA adoption rate continues on its current path, approximately 45% of all site visits will employ a PDA by 2008 (see Figure 4 on p. 7).

Technology Focus 3: Platforms

Another technology that is becoming more prevalent in the quest for efficiency is the report-writing platform. Generally web-based, such systems go beyond a Phase I template to completely automate the report writing process. Today, nine percent of survey respondents reported that they routinely use a platform. Interestingly, platform use is not limited to large firms (see Figure 5 on p. 7). Although the percentage of respondents using platforms was highest at large companies (17%), 12% of respondents from mid-sized firms and 3% of respondents from small firms report using a platform. Smaller companies generally invest in commercially-available systems, while larger companies tend to develop their own platforms.

The approximately 90% of Phase I providers who are not using platforms cite a variety of reasons for not doing so. Of these, the majority (or 54%) views the adoption of platforms as a client-driven practice that simply has not yet been requested. For others, the resistance stems from a number of factors, such as a lack of time to research platforms, perceived high start-up costs and a lack of internal technical expertise.

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Figure 2. Turnaround Time: Basic ASTM E 1527-00 Phase I

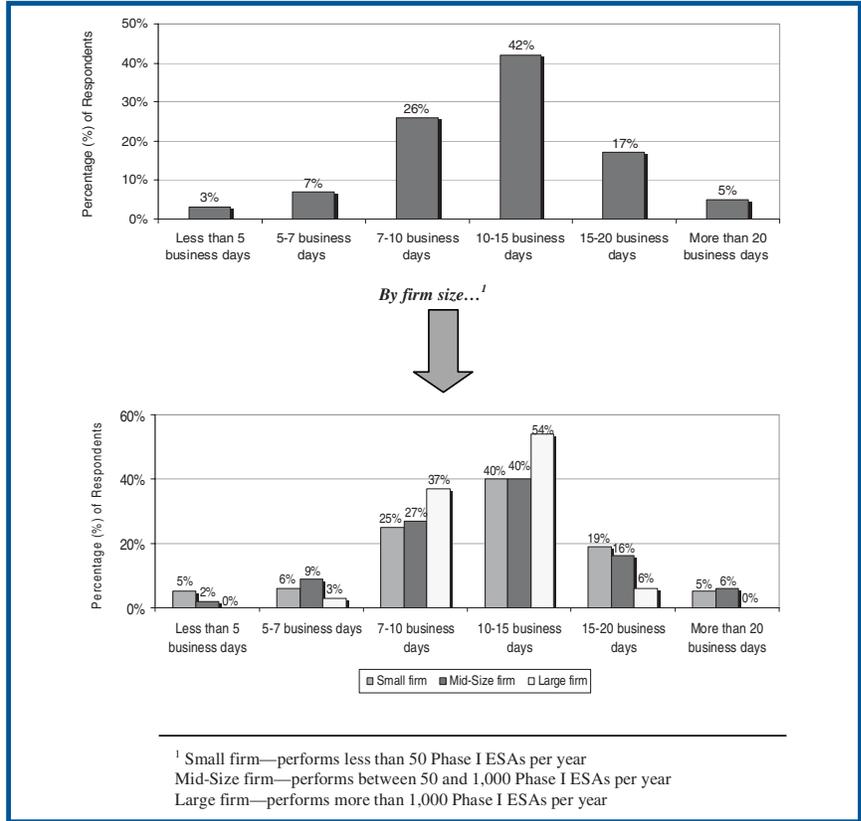
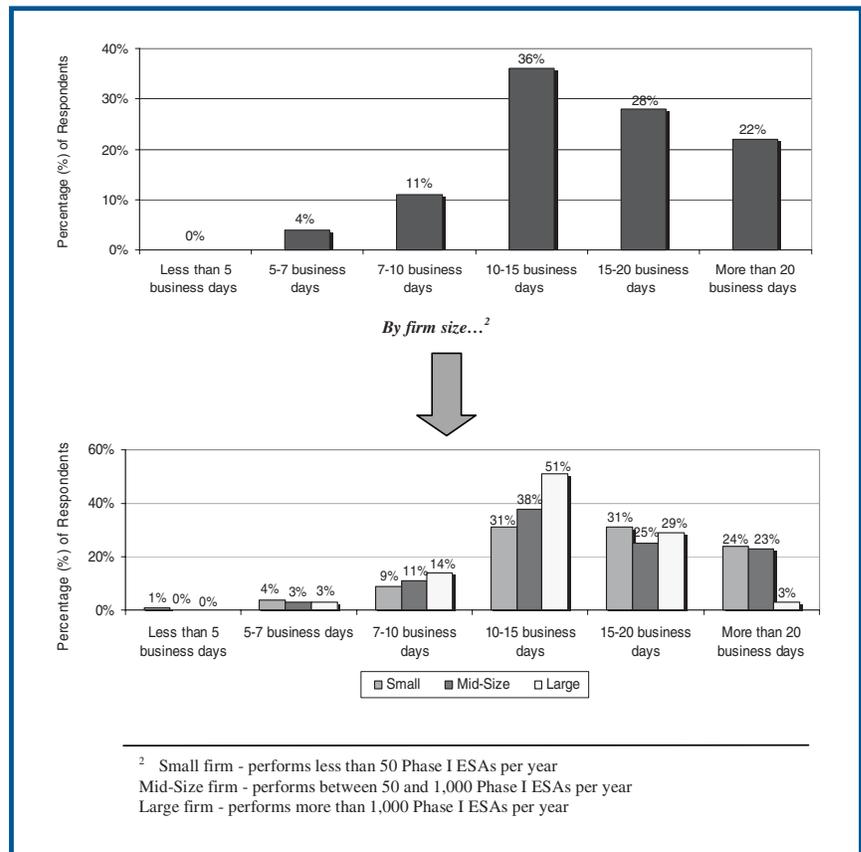
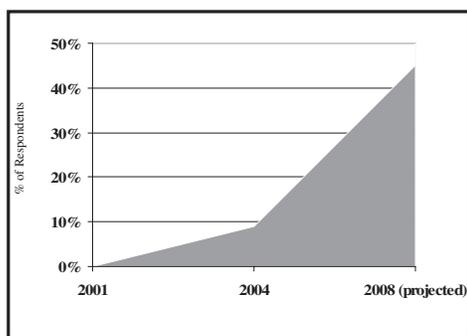


Figure 3. Turnaround Time: Phase I “Plus”



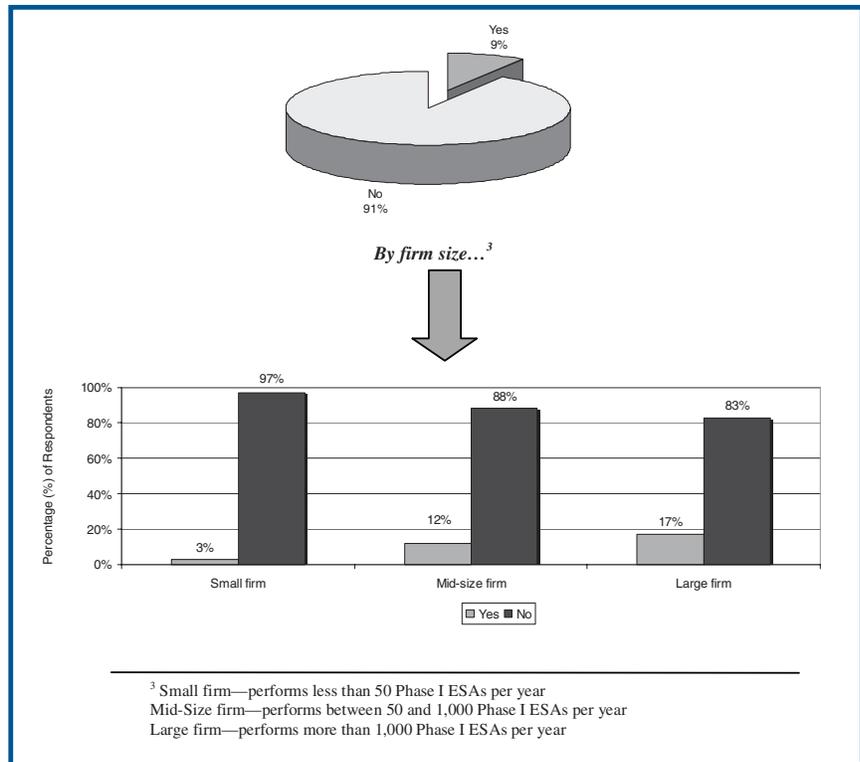
Of those who use the technology, the majority report that platforms, like PDAs, save time during the Phase I process. Thirty-six percent save three to four hours on report writing, while an additional 24% shave more than four hours off the time to complete a typical Phase I. Given that 78% of respondents spend more than six hours on report writing (see Table 2 on p. 4), platforms have the potential to cut report writing time in half. If a firm's average billing rate is \$70 per hour, platform use could translate into savings of \$200 per Phase I. The benefits can take a variety of other forms as well. According to David Mussell, project director, environmental site assessments at Braun Intertec (Minneapolis, MN), "the reasons for using a 'program' to support document assembly and production processes are threefold: (1) increased efficiency in the form of shorter review times and hours gained by automating the insertion of interview and government records data directly into our reports; (2) increased accuracy by using a base template on a centrally located server that can be customized to a client's specifications; and (3) a competitive edge by allowing a more responsive approach to clients' needs."

Figure 4. Adoption of PDAs During Site Visits



The big question is: At what rate will environmental professionals continue to adopt platforms? Nearly half of respondents (47%) anticipate using a platform in the future, and 10% expect to do so within a year. Eight percent predict a longer adoption timeline of two to four years, while 29% expect to use a platform at some point, but are uncertain of the timing.

Figure 5. Prevalence of Platform Use



AAI: Bracing for Change

The industry's adoption rate for new technologies could get a boost from EPA's developing AAI rule, which will add layers of responsibility to the Phase I process. Consultants will soon have additional requirements for reviewing government records, conducting historical research and documenting data gaps, among others, and many are already making changes to prepare for the post-AAI world. Thomas E. Warn, vice president and director of environmental services at Terracon (Lenexa, KS), for example, recently noted that if the AAI regulation requires the use of more senior environmental professionals on site reconnaissance, "The reliance on systems and tools that create a higher level of efficiency could be sought by firms looking to offset some of the increased costs of meeting the new standard." Where the AAI law will elevate the level of effort required for data review and report writing time, technology can counteract the impact by streamlining the Phase I process. The time is now for environmental professionals to develop efficiency strategies, including learning how to better collect and assemble site visit data (PDA) and how to

reduce the time it takes to write and generate the final Phase I report. Certainly, PDAs and platforms have benefits in terms of time savings and efficiency, not to mention improved quality control and accuracy. By investing in technologies that enable Terracon to be more efficient in collecting, assessing and communicating information to its clients, Warn noted that, "We are bringing greater value to our clients with respect to their real estate transactions and site redevelopment by providing more consistent, technical services from locations across the country."

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Feature Story

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EDR's survey results indicate that the Phase I industry is moving toward automation in the same way that many industries have done. The adoption rates for PDA and platforms mirror trends in other industries, as well as other technologies within the ESA industry (e.g., digital cameras). As in any industry, low-tech laggards cannot hope to survive. Working electronically is a new facet of doing business, and it is up to each company to determine which technologies warrant the investment. Warn noted that "Terracon continues to look for and develop applications and technologies that keep us on the cutting edge of performance, without being on the 'bleeding edge' from an investment perspective." Any technologies that will save time can translate into lower Phase I costs, and potentially higher profit margins. Those companies that are unable to adapt to today's need for efficiency, particularly with AAI on the near-term horizon, will face real challenges down the road. ■

For More Information



System/Platform Alternatives:

PARCEL System

www.parcelplatform.com

Phone: 866-475-1272

User name = DDD

Password = 123456

RESource System

www.guidewireresource.com

Phone: 888-294-0905

Login ID = DDD

Password = 123456

Tarware

www.tarware.com

Phone: 888-569-1545

Login = guest

Password = guest

Getting Down To Business

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Every other firm promises that, too. You want to be the one firm that has a different message that will really resonate with a potential client and give you a competitive edge.

If you do not learn how to sell your services based on the value they bring, price will become the only basis on which your firm will compete. XYZ won over a new client by using a new way of selling to convince the bank that it could deliver a service that would improve current operations. What could be better than that? ■

Coming Soon!

AAI ALERT!



On August 26, 2004, the US Environmental Protection Agency published the long-awaited "Standards and Practices for All Appropriate Inquiries; Proposed Rule" in the *Federal Register*. Hundreds of public comments have been submitted so far. Highlights from the proposed rule, the never-before-released preamble from EPA and the Economic Impact Analysis will be featured in our next edition!

