

WHEN ENVIRONMENTAL REGULATORS COME CALLING
YOU NEED A TEAM THAT CAN
LEVEL THE PLAYING FIELD



BURNSIDE ENVIRONMENTAL GROUP

REGULATORY AND INVESTIGATIVE EXPERTS



Burnside Environmental Group is a consulting firm made up of former U.S. Environmental Protection Agency and U.S. Fish and Wildlife Service officials. During lengthy careers with these agencies, each of us developed decades of regulatory and investigative experience. Our “insider” knowledge helps clients to minimize the impacts of adverse findings that may result from regulatory inspections and investigations.



Whether the government’s intent is to conduct a routine inspection or seek criminal sanctions, your company’s reputation and bottom line hang in the balance. So when government investigations or enforcement actions occur, we go to work. We add our expertise to your legal team to help mitigate or avoid the legal and financial liabilities associated with environmental violations.

Even routine administrative inspections can lead to significant civil or criminal sanctions that could be costly and damaging to a company’s reputation. These issues often take years to resolve if left to the mercy of a government timetable.



Preparation is key. We specialize in providing rapid response, an experienced team, and sound advice. We will customize our services to your particular needs. We have represented a range of clients, from Fortune 100 companies to corporate executives. Manufacturing sectors include metal casting, chemical, energy extraction and production, property development, homebuilding, shipbuilding, and construction.

Our team of former government officials includes a Director and senior officials of the U.S. EPA Office of Criminal Enforcement, Deputy Chief of the U.S. Fish and Wildlife Service Office of Law Enforcement, EPA national Resource Conservation and Recovery Act (RCRA) expert, Chief of an EPA Regional Wetlands Office and Team Leader of engineers and scientists at the EPA national laboratory.

ONE THING IS CERTAIN.

At a moment’s notice, the government can mobilize any number of attorneys, investigators and technical specialists. Protect your interests. Put Burnside Environmental Group on your team.



SERVICES

Burnside Environmental Group provides specialized litigation support services, assisting counsel in determining the underlying facts of an alleged environmental violation. Our unique perspective assists clients in developing legal strategies to either avoid or defend against, civil or criminal environmental enforcement actions. We take pride in our ability to respond rapidly to environmental incidents, regulatory inspections, search warrant activities, and critical internal corporate matters.



Burnside 
Environmental Group
Regulatory Experts and Investigators

INVESTIGATIVE:

Burnside Environmental Group can quickly determine the underlying facts of an environmental incident, alleged violation, civil matter or potential toxic tort. Our team can provide information and advice that is critical for the development of legal and crisis management responses and strategies. We have the ability to:

- ▶ Conduct root cause and corporate internal investigations
- ▶ Re-create (mirror) government inspections and search warrants
- ▶ Identify, locate and interview relevant witnesses
- ▶ Document scenes
- ▶ Assist legal counsel in understanding the science, sampling procedures and regulations
- ▶ Review and assess the government's investigation, evidence and procedures
- ▶ Monitor the government's on-scene activities
- ▶ Provide insight regarding the government's possible next steps and timeline
- ▶ Assist counsel during meetings with government prosecutors and regulators
- ▶ Assist counsel in evaluating opposing counsel's expert witnesses
- ▶ Testify at legal proceedings

REGULATORY and TECHNICAL ANALYSIS

Our technical associates are experienced in regulatory matters. Their areas of expertise include the Resource Conservation and Recovery Act (RCRA); the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); the Clean Water Act (CWA, including Section 404/Wetlands); the Toxic Substances Control Act (TSCA); Endangered Species Act; Lacey Act; Eagle Act and the Migratory Bird Treaty Act. We are able to provide:

- ▶ Enforcement reviews, response strategies, and outcome options
- ▶ Compliance evaluations
- ▶ Penalty policy assessments
- ▶ Engineering and technical assessments of government claims
- ▶ Evaluations of waste and storm water collection/treatment systems
- ▶ Field sampling
- ▶ Evaluations of government sampling protocols and results
- ▶ Assistance with coordination and negotiations with federal and state regulatory agencies
- ▶ Jurisdictional determinations for "Waters of the United States"
- ▶ Delineation of affected wetlands and other aquatic resources
- ▶ Section 404 permitting strategies, including alternatives analyses, adverse impact minimization, and practical compensatory mitigation concepts
- ▶ Development, implementation and oversight of wetland restoration and creation plans
- ▶ State and federal threatened and endangered species surveys and assessments
- ▶ Endangered Species Act, Migratory Bird Treaty Act, and Eagle Protection Act compliance reviews
- ▶ Alternative Dispute Resolution related to environmental matters