

OIL SPILLS

OVERVIEW

BCLP advises and defends clients relating to wide-ranging environmental issues arising under the Oil Pollution Act of 1990 (“OPA”) and similar state and local laws and regulations. We have assisted clients with all phases of the regulatory requirements associated with petroleum products, such as assisting in spill-prevention planning, providing immediate assistance in the case of a release and evaluating whether releases are reportable. We also help clients develop and negotiate approaches to satisfy their remediation obligations. Additionally, we have successfully defended numerous clients against administrative and civil judicial enforcement actions brought by EPA and state agencies related to petroleum releases.

Our attorneys help clients develop systems and procedures for preventing and detecting accidental spills and releases, including assisting in the preparation of emergency response manuals, Spill Prevention, Control and Countermeasure (“SPCC”) plans and risk management plans. When spills or releases do occur, we assist clients in determining whether local, state and/or federal notification is required, and if so, complying with applicable notification procedures. We also help our clients understand and comply with applicable remedial obligations, whether under federal or state law, including reporting and responding to spills and releases from underground and above-ground storage tanks and during transport. In addition, we frequently advise clients on the applicability of spill response, reporting and remediation requirements in the context of discovery of historic contamination, and we defend clients against government enforcement actions relating to petroleum releases.

MEET THE TEAM



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RELATED PRACTICE AREAS

- Energy Transition

EXPERIENCE

- Representing the government of Kuwait in seeking recovery from Iraq for releases the Iraqi military caused during Iraq's invasion of Kuwait.
- Advising clients across the country with regard to differing state laws on reporting and remediation of historic contamination, including the discovery of petroleum releases, and the impacts on their projects.
- Counseling clients with respect to the remediation of numerous oil spill sites.
- Developing petroleum compliance tools for an international rental-car company, outlining petroleum spills reporting and response requirements as well as petroleum storage tank program requirements in each state.

