

INSIGHTS

Environmental Enforcement Defense 101

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The federal and state environmental agencies have a vast array of enforcement tools with which they seek to impose penalties or require significant capital and process improvements on the part of the regulated community in circumstances where the agencies identify perceived violations of applicable laws, regulations, or permits. Tim Wilkins, a veteran of hundreds of such actions, provides high-level thoughts on how companies facing an inspection report, information request, show cause letter, notice of violation, or notice of enforcement action can prepare for and mount a defense designed to produce the best outcome. He also discusses proactive approaches to best position a company for avoiding or defending potential enforcement matters well in advance of any action.