

INSIGHTS

EHS Self-Auditing: Effectively Utilizing Privileges to Protect Your Findings

April 14, 2020

By: [Timothy A. Wilkins](#) and [Robert S. Nichols](#)

Assessing compliance with EHS-related requirements is fundamental for industry, not only to validate compliance assurance efforts, but to help prevent, or at least minimize, enforcement exposure. At the same time, however, candid evaluations give rise to other risks in the form of (i) creation of evidence of compliance shortfalls and (ii) management knowledge of those deficiencies. Effectively utilizing legal tools, such as privileges, can substantially reduce those concerns.

With decades of experience guiding companies in the design and implementation of individual EHS audits as well as overall auditing programs, join [Tim Wilkins](#) and [Bob Nichols](#) as they provide insight on how to control liability concerns with evidentiary privileges and appropriate use of agency penalty leniency programs associated with self-auditing. Tim and Bob will address, among other issues, how to maximize the benefit of:

- the attorney-client privilege
- state EHS-related privilege laws
- agency policies on self-auditing, including those maintained by the EPA and OSHA
- the attorney work product protection in the context of post-incident auditing