

## Litigation Support as Part of Multi-Party Lawsuit Against an Oil and Gas Exploration Company



EKI provided litigation support to a client associated with eleven (11) oil and gas exploration and production facilities. Litigation was filed and supported by multiple agencies, including the United States Environmental Protection Agency, the United States Coast Guard, and the California Department of Fish and Game, and California Central Coast Region Water Quality Control Board. The lawsuit was filed under the Clean Water Act (CWA), 33 U.S.C. § 1251 et seq.; the Oil Pollution Act of 1990 (OPA), 33 U.S.C. § 2701 et seq.; the California Water Code § 13000 et seq.; and the California Fish and Game Code § 5650 et seq.

EKI assisted the client in evaluating the technical claims, including both spill prevention control and countermeasures as well as allegations that the client had violated the Industrial Storm Water General Permit No. CAS000001, State Water Resources Control Board Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ (General Permit). EKI inspected all eleven (11) facilities and developed facility-specific plans for structural and operational improvements to manage stormwater runoff from the facilities.

EKI also prepared technical reports for each of the eleven facilities that included both stormwater and spill prevention management programs. The technical reports were subject to review from plaintiffs as part of the ongoing litigation.

Additionally, EKI developed a facility-specific training program for all operators that assisted employees in managing stormwater and provided guidance on evaluating Best Management Practices and the procedures that should be followed.