

BBJ Group Experience Overview Natural Resources Damages

BBJ Group Practice Areas

Remediation and Site Restoration

Real Estate and Transaction Support

Regulatory Compliance Assistance

Risk and Liability Management

Ecosystem Services and Sustainability

Valuating and Negotiating Impacts to Ecosystems

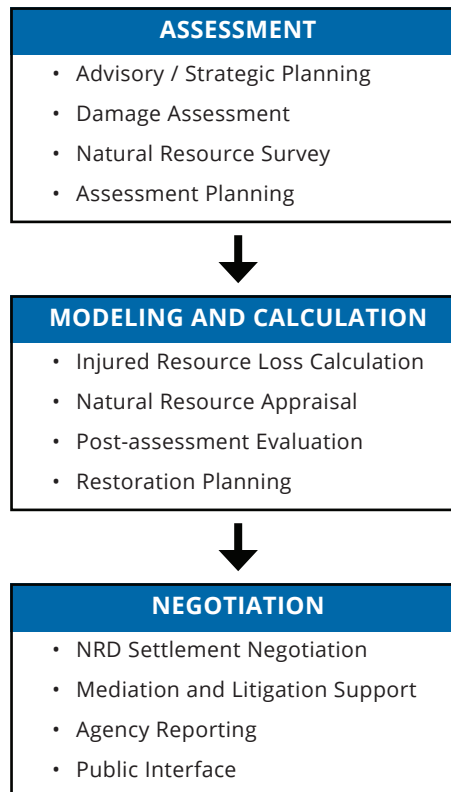
Natural resources include fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources. Natural Resource Damage (NRD) occurs when there is a loss of services to the ecosystem and/or humans using the ecosystem.



Generally, an NRD claim requires a trustee (such a state environmental resource department, USDA, or US Department of Interior) to establish the release of damaging material, injuries to natural resources resultant from the release, and resource damages resultant from the injuries.

BBJ Group has provided advisory and consulting services to its clients in the areas of identifying, negotiating, and defending NRD claims. We have quantified injuries and calculated the resulting damages. We have also demonstrated that the alleged resource damages did not result in loss of service of the resource or that the resultant resource loss of service was less significant than claimed.

Three Steps for a Successful NRD Settlement



Natural Resources Damages Services



NRD Valuation - Landfill Sites

Approximately 40,000 to 50,000 pounds of waste, including chlorinated solvents, were released from improperly disposed drums linked to BBJ Group's Client, a Fortune 500 manufacturer. The state alleged that the release adversely affected several acres of a sensitive wetland and associated groundwater.

BBJ Group used statistical techniques and chemical fate-and-transfer concepts to successfully assert two essential elements: (1) that the affected area was 30%-50% than claimed and (2) that the impact would likely dissipate 25% faster than claimed by the state. As a result, the NRD payment was reduced by 81%.

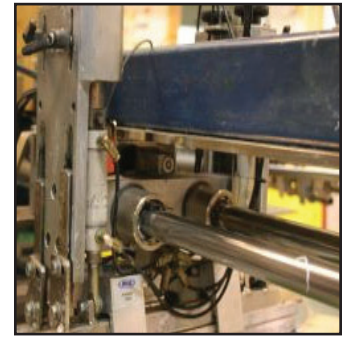


NRD Valuation - Packaging Manufacturer

In August, 1979, a disposal company mishandled 150 to 300 drums of liquid hazardous waste and sludge resulting in a release onto a private property.

Impacts prohibiting use of the groundwater by nearby residents led to the assessment of NRDs by the New Jersey DEP. BBJ Group helped the Client evaluate the technical merit of the state's NRD claim.

Using NJDEP's data, BBJ Group found that the extent of injury and NRD was far less than the state's claim, which was determined to be unfounded and excessive.



Settlement/Negotiation - Glassware Manufacturer

This EPA Region 5, Interim BBJ Group's Client's facility conducted silk-screen printing, and State claims alleged that lead and cadmium in the groundwater damaged the state's natural resources. The state further alleged that the contamination prevented the aquifer from being used for potable water.

BBJ Group was also assisting the same Client on a different NRD claim in the same state. Working with outside counsel, the NRDs were combined and settlement was achieved by offering one contiguous property in lieu of cash.

Other Related Experience

LOCATION	SITE TYPE	Site Investigation	Regulatory Support	Permitting / Planning	Remediation	Natural / Historical Resources Survey	Cost Estimation	Siting	Eco Service Valuation	Negotiation	Fate / Transport Modeling
Chesapeake Bay Watershed	Primary Metals Production	✓	✓	✓		✓	✓	✓	✓	✓	✓
Chicago, IL	Asphalt Terminal	✓	✓	✓	✓		✓	✓			
Frankfort, NY	Tool Manufacturing	✓	✓	✓	✓	✓	✓			✓	✓
Hopewell, VA	Petroleum Terminal/Bulk Storage	✓	✓				✓	✓		✓	✓
Mays Landing, NJ	Manufacturing	✓	✓	✓	✓	✓	✓			✓	✓
Southern NJ -Confidential	Landfill	✓	✓	✓		✓	✓		✓	✓	✓
Central NJ - Confidential	Packaging Manufacturing	✓	✓	✓		✓	✓		✓	✓	✓
Southern NJ	Textiles	✓	✓	✓	✓	✓	✓		✓	✓	✓