



MONTROSE
ENVIRONMENTAL

The Future of
Environmental Solutions



Managing Your Liability: Natural Resource Damage Assessment (NRDA) Services



35+ U.S. States *and* **18** Countries

Our team has assisted in over 100 NRDA related oil and chemical releases.



Managing the NRDA Process with Montrose

A NRDA is a legal and technical process enforceable under U.S. state and federal laws for determining the compensation owed to the public for injuries to ecological and socioeconomic ecosystem services caused by an oil spill or hazardous substance(s) released into the environment. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Water Act (CWA), the National Contingency Plan (NCP), Oil Pollution Act (OPA, 1990), and several state statutes provide the foundation from which the state and federal trustees can pursue, on behalf of the public, compensation for impacts to resources under the public trust. The NRDA process is used to assess injuries to ecological and social public trust resources and develop restoration that is sufficient to compensate for the lost resources.

Montrose biologists, ecologists, resource economists, chemists, and restoration specialists provide clients with comprehensive technical and strategic support through all phases of the NRDA process. This includes pre-incident planning, emergency response support, and post-incident assessment strategies to characterize potential injuries (injury quantification) and subsequently develop appropriately scaled restoration (restoration determination). We are recognized leaders in NRDA.

NRDA Experience

Montrose experts have advised clients on over 100 NRDA-related projects since 1990, including the Exxon Valdez and the 2010 Deepwater Horizon incidents. Our experience involves incidents affecting coastal marine, freshwater river and stream, and terrestrial habitats across over 30 U.S. states and internationally.

Our experts support the responsible party, often working through their internal and external counsel to assess potential ecological and socioeconomic injuries associated with a release, develop appropriately scaled restoration to compensate for these injuries, and coordinate and negotiate with the Federal and State nature resource trustees. We design and implement technical, science-based, strategies satisfying legal and regulatory obligations while helping our clients to manage and limit their NRDA liability. We prepare expert reports and testimony in litigation to support injury determinations and restoration recommendations.

Montrose ecosystem service economics experts are nationally recognized for their NRDA and NEBA expertise. Their wealth of experience includes pioneering science-based NRDA injury and compensatory restoration ecological economics approaches such as habitat equivalency analysis (HEA) and resource equivalency analysis (REA). These approaches have been codified into the Oil Pollution Act (OPA) and Superfund (CERCLA) NRDA rules. Our support includes both litigation-driven and cooperative assessments.

NRDA Strategy and Liability Management Services

Pre-Incident Planning

- NRDA Liability Response Plan Development
- Site-Specific Tactical Response Plan Development
- Incident Drill Support - Incident Command (IC)
- Sensitive Area Mapping and Spatial Analysis

Emergency Response Support

- Incident Command (IC) Support – Environmental Planning Section
- State and Federal Trustee Negotiations and Coordination
- Ecological & Socioeconomic Resources at Risk (RAR) Identification
- Ephemeral Data Collection for Baseline & Injury Assessment
- NRDA and NEBA Technical Expertise in the Remedial Alternative Selection

Post-Incident Assessment

- Environmental Baseline and Injury Assessment Studies
- Database Management and GIS Mapping
- Social and Ecological Economic Analysis
- Compensatory Restoration Scaling
- Restoration Design & Implementation
- Litigation Support

Integrating NRDA into Site Remedial Investigations and Restoration

A net environmental benefit analysis (NEBA) is an environmental economics analysis designed to balance the risks, benefits, and trade-offs associated with competing site remedies and environmental restoration alternatives. To date, remedial alternatives analyses rarely include quantifying impacts on habitats, wildlife, and natural resource services (both ecological and human use). Thus, the potential exists for site cleanup decisions to create new or additional harm to natural resources, increasing NRDA liability.

We use NEBA to evaluate cleanup options, optimize environmental recovery, and reduce overall site remediation costs. We help PRPs develop and implement a cost-effective site closure strategy that optimizes the desired environmental outcomes, mitigates environmental risks, and manages NRD liabilities.

Our staff co-authored the first formalized NEBA framework, focusing on site remediation and restoration, recognized by the United States Environmental Protection Agency (USEPA), the USEPA Science Advisory Board (USEPA SAB), and the National Oceanic and Atmospheric Administration (NOAA).



Key NRDA Liability Management Team



Joseph Nicolette
Vice President, Ecosystem Service Economics

Joe is a fishery and aquatic ecologist with 39 years of experience in the environmental field and has been involved in 75+ oil spills and hazardous waste NRDA-related incidents including the Exxon Valdez and Deepwater Horizon. His experience includes managing NRDA activities associated with pre-incident, emergency response, and post-incident phases. As a recognized expert in NRDA, HEA, and NEBA, Mr. Nicolette works closely with the responsible party, and their counsel to assess potential ecological and socioeconomic injuries associated with a release; develop appropriately scaled restoration to compensate for these injuries; and coordinate and negotiate with the Federal and State natural resource trustees throughout the process.



Mark Rockel Ph.D.
Senior Natural Resource Economist, Ecosystem Service Economics

Dr. Rockel has 40 years of experience and is Montrose's lead natural resource economist. He has also been involved in 75+ oil spills and hazardous waste incidents, managing the economic analysis of potential liabilities and restoration costs for both ecological and human use impacts. A recognized expert in HEA, REA, and NEBA, Dr. Rockel routinely works closely with PRPs and their counsel during settlement negotiations with trustees. He has been a lead technical negotiator in several high-profile natural resource damage assessment cases. During the Deepwater Horizon incident, he directed early restoration and valuation assessment work on behalf of BP including negotiation with the trustee agencies.



Richard Wenning
Senior Ecotoxicologist, Ecosystem Service Economics

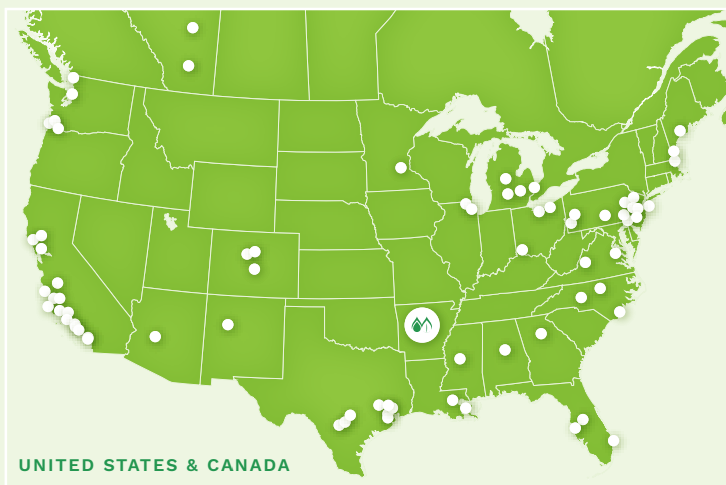
Mr. Wenning is an ecotoxicologist with 35 years of experience using environmental impact and risk assessment to characterize incident releases and contaminated sites. He evaluates alternatives for environmental restoration of damaged aquatic and terrestrial ecosystems using NEBA. He is recognized for his work in spill impact mitigation assessment (SIMA), oil spill response planning and preparedness, and oil spill risk assessment.

About Montrose

A high-growth, diversified environmental services company, Montrose Environmental Group is headquartered in Little Rock, Arkansas with over 2,800 employees and 70+ offices in the U.S., Canada, Europe, and Australia.

Contact Us

For NRDA emergency support, contact us at:
(678) 451-8288
jnicolette@montrose-env.com



UNITED STATES & CANADA