



THE AL LAW GROUP

INNOVATIVE ENVIRONMENTAL SOLUTIONS



**AL Law Deviation/STEERS
Legal Service**



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AL Law Deviation/STEERS Legal Service

"The AL Law Group Deviation Report Review was a great investment for our Company. The insights were welcomed by the internal client and we are making improvements to our processes based on the advice received."

-----In-house Counsel of Fortune 100 Company



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New

AL Law Deviation/STEERS Reporting Legal Service

Why hire the AL Law Group to review my deviation/STEERS reports?

- ❖ A company's stock dropped because of a STEERs report—temporarily losing the company **\$1 billion dollars**. A facility operator reported in STEERS that a “*catastrophic line failure occurred*”. The report was picked up by a national news service and resulted in a billion dollar short-term stock loss according to the company.
- ❖ **\$21 Million judgment** against ExxonMobil based largely on information found in deviation reports and STEERS reports.
- ❖ STEERS reports are **available via the internet** for the public, plaintiff's attorneys, the press, and regulators to review and use for lawsuits, newspaper articles, enforcement actions, permit challenges, rule developments, etc.
- ❖ Companies must “reasonably inquire” into Title V compliance. Both the company and personnel are potentially subject to **civil and criminal** liability.
- ❖ Companies overseas are apparently making a business out of collecting information via the internet and **packaging and selling this information to plaintiff's attorneys** in the United States.
- ❖ Deviation reports are also public information. TCEQ is in the process of making more-and-more documents easily accesible on-line (see https://inewx.tceq.texas.gov/TCEQ_public/Records/BasicSearch.aspx).
- ❖ Agencies, plaintiff's attorneys, and the public are increasingly turning toward STEERS reports and deviation reports as evidence and basis for lawsuits and enforcement actions.

Examples of Emission Event Descriptions We Found on the Internet



“**Catastrophic** seal failure . . .”

“The compressor was brought down suddenly [. . .] as **excessive corrosion** caused leaks”

“Electricians tried to locate the problem because it kept acting differently all the time.”

“[T]he rupture disk failed . . . due to **fatigue caused by age.**”

“Production people did something that caused our inlet rates to keep steadily climbing.”

“Operator was distracted due to working in a severe thunderstorm.”

“He made adjustments on the unit . . . but was not aggressive enough in his adjustments . . .” [sic.]

“Lost just about everything at the plant.”



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Which of the following Title V deviation descriptions would you rather have read to a jury?

“Failure of a rupture disc that resulted in a butadiene emissions release to the atmosphere”

Or

“Rupture disc performed as designed”

The law requires you to provide an accurate description of your deviation/upset. ***You do not however need to further legally harm or endanger yourself as you go about doing this.*** The AL Law Group can review your submittals and suggest legal wording improvements to help lower your legal and financial risks.



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AL Law Deviation/STEERS Legal Service

Let Us Serve You

- ❖ We provide this service for numerous clients—including Fortune 100 companies
- ❖ The AL Law Group can review your deviation/STEERS submittals for legal substance and provide legal wording suggestions to help lower your legal and financial risk to information that may be used against you in an administrative, civil, or criminal proceeding or in a public forum
- ❖ The AL Law Group has skilled and experienced environmental attorneys who have reviewed hundreds of deviation reports for years and years.
- ❖ For deviation reports, clients will send us draft reports every 6-months before agency submittal. Our review generally takes less than a couple hours and often is turned-around in less than a day. For STEERs reports, the AL Law Group offers a roll-through telephone number where an attorney will generally pick up anytime of the day you call.
- ❖ We offer a low-cost monthly flat-fee for this service—or a traditional pay-by-the-hour service.

For a free consultation, contact us at (281) 852-8064 or info@allawgp.com



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