Environmental Violations Response Actions Checklist



Just how much trouble your company gets into for an environmental violation may depend on what you do after the violation. Taking “mitigating” measures may enable you to limit the damage. Here’s a Checklist of key response actions that a company should seriously consider taking to mitigate the environmental harms and liability risks when an environmental incident occurs. Go to the OHS Insider website for a more complete analysis of each of these measures.

Environmental Response & Mitigation Actions Checklist

Worksite: _____
Date: _____
Completed by: _____

1. ### Environmental Response Team

☐ Assemble a team of technical experts and senior company officials

☐ Investigate cause(s) and extent of the problem.

☐ Assess severity of the offence and harm caused.

☐ Develop short- and long-term remedial action plans.

☐ Communicate response and remedial action plans to the Board and senior management.

☐ Create written records documenting remedial actions and why they were taken.

2. Actions to Be Taken by One or More Senior Company Officials

☐ Serve as a member of the response team.

☐ Issue a press release and/or hold a press conference to address the incident and the company’s response.

☐ Issue an internal communication and/or hold an internal meeting to address the incident and the company’s response.

☐ Appear in court and, if applicable, sentencing hearings.

☐ Oversee community outreach and public relations efforts to keep public informed.

3. Communications and Interactions with Government Authorities

☐☐ Voluntarily report the incident after consulting legal counsel.

☐ Express the company’s commitment to cooperate.

☐ Designate a contact person to serve as company liaison with authorities.

☐ Solicit government feedback on appropriate remedial actions.

☐ Provide authorities progress reports on remedial actions.

☐ Document all oral communications with authorities and maintain copies of written communications.

☐ Consult and obtain legal advice from counsel during all stages of interacting and communicating with authorities.

4. Mobilization of Contractors, Agents, and Employees

☐ Assess role of internal employees or outside entities in causing, contributing to, and remediating the incident.

☐ Review contracts with outside contractors relevant to the incident.

☐ Send written messages to contractors about the need to mitigate damage.

☐ Revise contracts as needed to address the incident and response plan and prevent recurrence.

☐ If appropriate, discipline employees who caused or contributed to the incident.

5. Environmental, Health, and Safety (EHS) System Improvements

☐ Review all company policies, procedures, and protocols relevant to the incident.

☐ If appropriate, revise policies, procedures, and protocols to prevent recurrence.

☐ Notify and educate employees about the incident.

☐ Notify and train employees about any changes to company policies, procedures, or protocols implemented as a result of the incident.

☐ Review and, if necessary, correct employee training programs and materials in light of the incident.

☐ Implement necessary engineering controls, work/administration controls, or other measures necessary to correct the problem that led to the incident and prevent its recurrence.

☐ Keep written records documenting the above controls and measures and why they were implemented.

Signature: _____ Date: _____