



Dennis Farley

President Managing Member

Expertise

- Environmental liability investigation regarding historical sources of contamination to upland sites, groundwater, and sediments including dioxins, polychlorinated biphenyls (PCBs), pesticides, polycyclic aromatic hydrocarbons (PAHs), mercury and other metals
- Representation of clients at large-scale Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites, and support of the cost allocation and remedy selection process
- Support of complex litigation matters regarding multiple parties, including expert witness testimony and non-testifying expert roles

Summary

Mr. Farley has more than 37 years of experience in the environmental field. His expertise includes conducting and directing environmental investigations, providing litigation support, and providing consulting services to corporate and government clients on a domestic and international basis. He is extensively experienced in liability investigation, source identification, and the investigation of potentially responsible parties (PRPs). He regularly oversees and conducts work regarding cost allocation among multiple parties, and provides expert testimony in litigation, arbitration, and mediation settings.

Professional Experience

Project manager and lead investigator supporting litigation over damages for a large-scale CERCLA contaminated sediment site. Supported the preparation of several hundred third-party claims; oversaw the review, coding, and evaluation of all incoming document productions pursuant to discovery orders; and coordinated witness interviews with counsel for a large pool of *de bene esse* witnesses. Evaluated and vetted claimed damages by plaintiffs, and supported legal team in preparation of third-party cases.

Project manager and lead investigator for a PRP at an urban-waterway CERCLA site. Oversaw and conducted investigations regarding the operating histories and contribution of hazardous substances by various third parties. Conducted internal analysis of client-owned and operated properties and the potential for historical contribution of hazardous substances to the site. Produced expert reports and provided expert testimony in mediated allocation proceedings.

Project manager and lead investigator for a PRP at an urban-waterway and marsh-complex CERCLA site. Oversaw and conducted investigations regarding the operating histories and contribution of hazardous substances by various third parties. Provided services regarding ongoing allocation proceedings including the preparation of expert reports, evaluation of discovery, and preparation of disclosure questionnaires regarding third parties.

Project manager and lead investigator for the source identification program component of a full-scale remedial investigation and feasibility study implementation at a bay and tributary complex National Priorities List (NPL) site in the northeast U.S. Responsibilities included developing an inventory of historical and current sources of organic and inorganic sediment contamination, identifying evidence regarding discharges from identified sources, and compiling source sampling plans and strategies. The scope of effort focused on point sources ranging from industrial operating facilities to large-scale storm sewer, sanitary, and combined sewer networks and regional treatment facilities.

Project manager and lead investigator for PRP committee charged with the identification and evaluation of PRP liability cases for an urban river complex NPL site in the northeast U.S. Responsibilities included the development of investigation plans, and implementation of liability

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investigations regarding historical and present-day industrial operations. Presented evidentiary packages to EPA regarding PRP liability.

Project manager and lead investigator for the initial PRP named at an urban river complex NPL site in the northeast U.S. Responsibilities included the historical reconstruction of 150 years of regional industrial operations, shipping and commerce, the development of local and regional sewerage infrastructure and waste treatment capabilities, and identification of historical and present-day discharge pathways. Developed investigation plans and implemented liability investigations of PRPs; compiled evidentiary packages and presented to EPA. These efforts resulted in general notice letter distributions by EPA to more than forty PRPs, allowing for formation of a PRP steering committee and take-over of remedial and enforcement-related work at the site.

Project manager for historical liability analysis and PRP identification regarding a manufacturing facility in northeastern U.S. Responsibilities included analysis of regional groundwater contamination sources, and investigation of historical operations conducted at select off-site facilities regarding contribution of observed contamination at site. Identified historical tenant operations, conducted corporate successorship and financial viability analysis of select entities, and developed evidence of hazardous substance releases. Developed nexus of U.S. government-contracted operations during the WWII period, and investigated and documented all operations conducted at the site. Served as expert witness at a deposition regarding corporate successorship, overcoming motion to dismiss made by Fortune 500 defendant.

Project manager and lead investigator for a client resolving liabilities stemming from historical site operations with third party in litigation proceeding. Evaluated all produced evidence regarding historical site operations, and provided testimony at deposition as a 30(b)(6) witness on behalf of client.

Expert witness for a matter in U.S. Federal Bankruptcy Court. Provided testimony at trial regarding the status of subject CERCLA sites and forecasted anticipated expenditures.

Project manager for PRP committee charged with the identification and evaluation of PRP liability cases for a regional groundwater contamination NPL site in the western U.S. Developed inventory of potential sources and investigated specific historical industrial operations for evidence of hazardous substance use and discharge. Developed evidence for use in PRP negotiation and allocation mediation.

Project manager for several PRPs identified as waste generators at a local municipal landfill in the northeast U.S. Investigated the local hauling and waste disposal operations conducted at the time of filling, and identified waste generators and haulers that had historically utilized the site.

Project manager for PRP charged with the identification and evaluation of PRP liability cases for an urban river complex NPL site in the Midwest U.S. Responsibilities included analysis of regional sediment contamination sources, and investigation of historical operations conducted at select facilities regarding the discharge of hazardous substances.

Project manager for investigation of several NPL and state-lead landfill and septic disposal sites in northeast U.S. Responsibilities included the investigation and development of evidence regarding historic hauling, waste generation, and disposal operations at these sites. Sites historically involved

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hauler and disposal control by organized crime, resulting in the nexus of waste generators from large regional areas through complex hauler relationships and routing of hauled waste streams. Results included the documentation of hauling and disposal by numerous entities, statements and depositions from numerous witnesses, identification of key documentary evidence, and identification and enforcement agency notification of responsible parties.

Project manager for PRP charged with the identification and evaluation of PRP liability cases for an urban river complex site in the southern U.S. Responsibilities included analysis of regional sediment contamination sources, and investigation of historical operations conducted at select facilities regarding the discharge of hazardous substances.

Project manager for multi-national corporate client with numerous predecessor operations posing liability for environmental conditions resulting from historical operations. Conducted internal assessment of prioritized historical entities and facilities in order to develop internal knowledge base of potential liabilities for management purposes.

Project manager for multi-national corporate client with more than 60 historical operating facilities and third-party sites undergoing remediation and/or characterization. Conducted assessments and evaluation of on-going site work to support the formulation of cost estimates and environmental reserves.

Project manager and lead investigator for environmental compliance and fraud investigation at an active coke manufacturing facility in southeastern U.S. Investigated and identified sources of fraudulent reporting made to regulatory agencies and customers, and assisted in the implementation of business controls and practices to mitigate future recurrence.

Project manager and lead investigator for product tampering investigation at a waste oil refinery located in the Midwest U.S. Investigated and identified sources of internal sampling and analytical deficiencies that resulted in facility shutdown and cleanup due to PCB contamination of process streams at facility.

Project manager for numerous investigations conducted in support of toxic tort litigation and claims made relating to alleged exposures to asbestos-containing materials, silica, and mold. Conducted and managed investigations related to historic product identification and alternate routes of exposure. Investigated backgrounds of plaintiffs, compiled work histories, developed evidence of product use, prepared statements and obtained witness affidavits.

Project manager for numerous investigations regarding the existence of historic general liability insurance policies for application against incurred or obtained historic operating liabilities for toxic tort and environmental damages. Investigated operating histories of companies, identified historic repositories of information, identified and located witnesses, and developed evidence from government records.

Conducted numerous domestic and international assessments of commercial treatment, storage, and disposal facilities used by corporate clients for the disposal and/or recycling of hazardous waste streams. Evaluated site settings, operating histories, compliance records, backgrounds and financial viabilities of subjects.



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Conducted numerous domestic and international assessments of commercial and industrial facilities in support of corporate transactions including acquisitions and divestitures. Managed and implemented various Phase I and II investigations in pre-transaction settings, and remedial investigation of facilities in post-transaction settings. Conducted site characterizations of on-site and off-site soil, sediment, and groundwater contamination.

Conducted and managed numerous remedial investigations of operating sites including industrial facilities, landfills, NPL sites, and waste disposal facilities. Designed and implemented sampling programs, managed field sampling teams, conducted sampling of various media, and supervised the installation of numerous groundwater monitoring and extraction wells. Conducted pumping tests of aquifers, analyzed site conditions and prepared numerous reports regarding site characterization, groundwater hydraulics and remedial options.

Academic Qualifications

MS in Civil and Environmental Engineering, New Jersey Institute of Technology, 1988

BS in Geology and Physics, Moravian College / Lehigh University, 1982

Professional Training

- State of New Jersey Licensed Private Detective #6423
- State of New York Licensed Investigator #11000116681

Publications and Presentations

Lasseter, K., D. Farley, E. Pyne. "A Review of Allocation Methods and Rationale for Method Selection." Presentation, Battelle – Tenth International Conference on Remediation and Management of Contaminated Sediments, New Orleans, LA, February 2019.