GOAL

To make the environment and public whole for injuries to natural resources and services resulting from an incident involving a discharge or substantial threat of a discharge of oil (15 C.F.R. Part 990.10) or a release of a hazardous substance (43 C.F.R. Part 11).

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For more information:

Illinois Department of Natural Resources

http://dnr.state.il.us/orep/contaminant_assessment

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State of Illinois
Pat Quinn, Governor

Department of Natural Resources

Natural Resource Damage Assessments

Frequently Asked Questions

What is a Natural Resource Damage Assessment (NRDA)?

A process outlined by federal law that authorizes Natural Resource Trustees to seek compensation for the public for injuries to natural resources and services resulting from the discharge or substantial threat of a discharge of oil (15 C.F.R. § 990.10) and/or a release of a hazardous substance (43 C.F.R. Part 11). In order to compensate the public for the lost uses of injured resources the Trustees restore, rehabilitate, replace or acquire equivalent natural resources (43 C.F.R. § 11.81).

What federal and state laws authorize NRDA?

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) otherwise known as Superfund
- Federal Clean Water Act (CWA)
- Oil Pollution Act (OPA) of 1990

Who administers NRDA?

NRDA federal law requires the designation of officials from federal, state, or tribal governments to act as trustees to protect public interest in natural resources and the services they provide.

The State of Illinois Trustees are:

- The Director of the Illinois Department of Natural Resources (IDNR)
- The Director of the Illinois Environmental Protection Agency (IEPA)

IDNR and IEPA work in close coordination with the Illinois Attorney General's Office.

What is the definition of natural resources?

Natural resources are plants, animals, land, air, water, groundwater, drinking water supplies, and other similar resources belonging to, managed by or otherwise controlled by the United States or a state or local government.

What is an injury?

Injuries are adverse impacts to natural resources such as wildlife, habitat, other biota, and the services natural resources provide for wildlife and human beings.

What is a Cooperative Assessment?

Cooperative assessment refers to activities conducted by possible responsible parties and trustees in a collaborative context to assess injury and assess damages with a focus on achieving "early" restoration and resolution of liability without litigation.

What is a restoration plan?

Before the funds allocated to restore natural resources can be used to implement restoration projects, the trustees typically develop a restoration plan. The restoration plan identifies and evaluates a reasonable range of restoration alternatives, solicits public comment, and provides the rationale for the selection of the restoration project(s) that will be implemented.

How does the public get involved in the restoration process?

Public comments and suggestions on the proposed restoration alternative(s) are an important part of the restoration planning process. The trustees encourage anyone who reviews the draft Restoration Plan (RP) to evaluate and comment on any part of the draft RP, including descriptions of the affected areas, the proposed restoration projects, and/or the restoration selection process. The public is further encouraged to evaluate and comment on the feasibility of the proposed restoration projects themselves. Some avenues used to involve the public include but are not limited to public meetings, public availability sessions, public notices in newspapers, draft RPs at local libraries, and the Illinois Department of Natural Resources Contaminant Assessment Section website.

How is the success of the restoration project determined?

Monitoring is conducted to evaluate whether the restoration project has made the environment and the public whole.