

Calfee's environmental attorneys represent a wide range of publicly and privately held corporations, municipalities, public agencies, and trade associations that face diverse environmental issues. We provide clients with experienced counsel on matters of compliance, proposed rules and changes, business strategies, and objectives for dealing with environmental regulations and agencies. Our clients are engaged in a variety of businesses including metals manufacturing and finishing, waste disposal and wastewater treatment, real estate lending and development, chemical and plastics manufacturing, industrial gases, paints and coatings, and minerals and mining. They also include municipalities and other governmental entities.

Our attorneys work with clients to develop innovative environmental compliance policies and audit programs. We routinely provide counsel regarding environmental liability related to acquisition, divestiture and lending transactions. Additionally, we represent clients in environmental enforcement proceedings, as well as environmental contractual, tort and statutory claims litigation.

### **Representative Experience**

#### *Compliance*

- > Counseling
- > Audits and assessments
- > Compliance, including health and safety
- > Disclosures and indemnification for acquisitions and divestitures
- > Administrative proceedings and permitting issues
- > Commenting on proposed rules
- > Solid and hazardous waste treatment and disposal
- > Underground storage tanks

#### *Water/Wetlands/Air*

- > Stormwater runoff
- > Effluent treatment and discharge/NPDES/POTW
- > Groundwater investigation and remedial action
- > Drinking water
- > Wetlands identification and protection
- > Coastal protection and development
- > Air emissions identification and control
- > Noise and nuisance control and abatement

#### *Hazardous and Solid Waste*

- > Superfund/unregulated hazardous waste sites
- > Emergency planning and community right-to-know
- > Hazardous substance inventories

Continue >

*Litigation and Enforcement Proceedings*

- > Enforcement proceedings
- > Citizen suits and class actions
- > Civil and criminal proceedings
- > Administrative hearings and appeals
- > Toxic torts

Environmental continued

**Representative Projects**

- > Represented property owners, developers and municipalities with respect to Brownfields evaluation and remediation under the Ohio Voluntary Action Program (VAP).
- > Developed environmental compliance policies and environmental compliance audit programs for publicly and privately held companies.
- > Counseled clients regarding potential environmental liability related to acquisition, divestiture and lending transactions.
- > Drafted and negotiated environmental representations, warranties and indemnities for numerous clients.
- > Represented RCRA permittees in negotiations concerning permit conditions.
- > Represented RCRA permittees in proceedings before Ohio EPA concerning closure plans and activities.
- > Represented RCRA permittees in administrative enforcement proceedings before Ohio EPA and U.S. EPA.
- > Represented a developer in an environmental citizen's group challenge of Ohio EPA action before the Environmental Review Appeals Commission (ERAC).
- > Represented a privately held public drinking water source in adjudication proceedings before Ohio EPA.
- > Represented a RCRA permittee in proceedings before the former Ohio Hazardous Waste Facility Board.
- > Represented private parties and local governments with regard to underground storage tank regulation and remediation.
- > Prepared, filed and obtained approval from U.S. EPA for group stormwater permit applications on behalf of numerous municipalities in Ohio.
- > Represented a closely held manufacturer in permit negotiations with Ohio EPA, and in an administrative appeal before ERAC, under Ohio's air toxics program.
- > Represented a publicly traded industrial gases manufacturer in litigation and administrative proceedings relating to a multi-party Superfund site where on-site incineration was a component of the remedy.
- > Represented a subsidiary of a major chemical manufacturer in administrative and contempt proceedings brought by the State of Ohio relating to a RCRA closure and groundwater remediation.

Continue >

- > Represented a large Ohio municipality in defense of Clean Water Act SSO/CSO claims brought by Ohio and the United States resulting in a Consent Decree resolving thousands of days of violations with a \$60,000 civil penalty and an extended construction schedule patterned after the city's Long Term Control Plan.
- > Represented a closely held coatings company and its principal in a state-led felony prosecution relating to alleged hazardous waste disposal.
- > Represented a publicly traded metals manufacturer in a private cost recovery action against a multinational oil company to obtain reimbursement of costs for TCE soil and groundwater contamination remediation.
- > Represented a suburban municipality in negotiations relating to resolution of alleged violations of a Clean Water Act federal consent decree and judicial termination of the decree.
- > Represented a closely-held electrical insulating manufacturer in alleged air permit violation enforcement proceedings and related indemnity arbitration claims.

---

**Calfee, Halter & Griswold LLP**

1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, Ohio 44114-2688  
216.123.4567 **Phone**  
216.123.4568 **Fax**

1100 Fifth Third Center  
21 East State Street  
Columbus, Ohio 43215-4243  
614.621.1500 **Phone**  
614.621.0010 **Fax**

[www.calfee.com](http://www.calfee.com)