

## Environmental & Natural Resources

The depth and scope of our environmental law practice is based on our familiarity with a wide range of industries, our comprehensive understanding of the regulatory process and our proven ability to assist clients in meeting future challenges and planning for long-term environmental compliance. Stinson's environmental lawyers navigate the complexities of permitting, advise in transactions to identify and mitigate environmental risks and operational delays, defend against enforcement proceedings and third-party claims and litigate environmental claims across the full range of major and emerging environmental laws at federal, state and local levels. Our experience is rooted in our representation of businesses and government entities in key industry sectors nationwide, including energy, public utilities, agriculture, mining, industrial, chemical, manufacturing, real estate development and finance.

We also have depth in helping our clients protect natural resources, working with them to mitigate impacts and resolve natural resource damage (NRD) claims under the Clean Water Act, Oil Pollution Act, and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) if and when they arise. Our attorneys work with clients throughout every step in the process, through preliminary and formal NRD assessments to administrative or judicial forms of relief as may be necessary.

### REGULATORY COMPLIANCE

We leverage in-depth understanding of the Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers (USACE) and state environmental agencies to ensure compliance with all applicable regulations in rural and urban settings covering situations as divergent as agricultural operations to high-tech data centers. We navigate brownfields redevelopment projects, negotiate complex real estate and zoning permitting issues, assist with mining and mineral management operations, and participate in crafting significant environmental legislation and regulations to keep our clients compliant with state, federal and local environmental laws.

### ENFORCEMENT DEFENSE

Our environmental attorneys have extensive experience defending actions brought by federal and state environmental and natural resources agencies. Effective enforcement defense requires in-depth knowledge of our clients' businesses, as well as the agencies' practices and procedures that can be leveraged to resolve complex issues. We strive to learn the physical and operational details enabling us to effectively

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counter agency allegations and to establish strong, defensible positions. We have also defended citizen-initiated suits brought under environmental laws. We understand these actions require a different approach and have assisted clients in working with citizens and agencies upon receipt of a Notice of Intent. Our attorneys are skilled in developing and implementing corrective actions, negotiating to reduce or eliminate penalties and coordinating defense against potential cleanup liabilities.

### TRANSACTIONAL

Our environmental attorneys have a significant role in transactions – either for seller, purchaser or merging entity—working closely with our Corporate Finance, Private Business and Real Estate Divisions. Our transactional experience includes knowledge on a wide range of industries, from agricultural and energy to telecommunications, manufacturing and commercial redevelopment. By understanding our clients’ transactional objectives and future plans for the business—whether it is to maintain the status quo or redevelop and expand operations, or to sell the assets and minimize post-transaction environmental liability—Stinson attorneys have the experience and foresight necessary to allow our clients to proceed with transactions while managing environmental risks. When facts necessitate, our attorneys also assist new owners with remedying potential noncompliance through self-disclosures and/or development of compliance systems. In addition, because of our familiarity with the businesses gained during the transactions, our environmental attorneys commonly remain involved with post-transaction environmental counseling, permitting, self-audits and disclosures, and regulatory compliance.

### LITIGATION

We blend relevant government experience, deep industry knowledge and keen understanding of environmental regulations to strategically represent our clients in complex environmental litigation. Our team handles cases concerning climate issues, hazardous and chemical waste disposal and storage, resource extraction, air and water pollution, and exposure to toxic substances.

Our attorneys also represent clients in a broad array of Administrative Procedure Act challenges, as well as toxic tort, nuisance, and insurance coverage and hydraulic fracturing litigation. We have represented clients in cost recovery and contribution actions under CERCLA and state laws, as well as proceedings stemming from Resource Conservation and Recovery Act, Clean Air Act, Clean Water Act and other environmental laws and regulations.

Our powerful combination of historical enforcement perspectives, litigation and trial experience, and administrative proceedings provide companies the legal resources they need to manage enterprise-wide environmental compliance and litigation.

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### TEAM

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## RELATED CAPABILITIES

Energy

Environmental Counseling

Environmental Litigation

Real Estate & Public Finance

## NEWS

Despite District Court Challenge, CTA Still Relevant, Zack Taylor Says in *Kansas City Business Journal* Article

03.11.2024

Leadership Council on Legal Diversity Names Glasnovich a 2024 Fellow, Araujo and Williams as Pathfinders

02.28.2024

Six Attorneys Elected to Partnership at Stinson in 2024

01.09.2024

Stinson Environmental Attorneys Provide PFAS Guidance in *Law360* Article

12.22.2023

Stinson Welcomes its Fall Associates Class of 2023

11.29.2023

*Super Lawyers* Recognizes 29 from Stinson on Missouri and Kansas Top Lists

11.14.2023

Missouri Lawyers Media Recognizes Stinson Environmental Law Attorneys as Best in State

11.13.2023

*Best Lawyers*® Recognizes Stinson in "Best Law Firms" Report

11.02.2023

Stinson Attorneys Recognized in the 17th Edition of *Benchmark Litigation*

10.05.2023

Stinson Adds Commercial Litigation Associate to Minneapolis Office

09.26.2023

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*Best Lawyers in America* Recognizes 32 Stinson Attorneys as "Ones to Watch"

08.17.2023

Stinson Welcomes Energy Associate to New York Office

08.02.2023

*Chambers USA 2023 Legal Guide* Recognizes Stinson Attorneys and Practice Groups

06.05.2023

Reiter Discusses LNG Project, FERC Oversight in Recent *EnergyWire* Article

05.12.2023

Energy Attorneys Reiter, Schneider Selected to Inaugural *Lawdragon 500* Guide

03.17.2023

Stinson Attorneys Selected to LCLD 2023 Fellows and Pathfinder Programs

03.06.2023

Davis, Shaull Examine Minnesota's Adoption of Common Interest Doctrine in *Bench & Bar* Article

02.02.2023

Three Stinson Attorneys Named to Environmental and Energy Law "POWER LIST"

11.30.2022

Stinson Welcomes 17 Associates to the Firm

11.09.2022

*U.S. News, Best Lawyers*® Recognizes Stinson in "Best Law Firms" Report

11.03.2022

Stinson Attorneys Prevail in Eighth Circuit Drinking Water Utility Matter

10.27.2022

Christina Arnone, Bill Everding and Sarah Lintecum Struby Recognized as Up & Coming Attorneys by *Missouri Lawyers Weekly*

08.22.2022

Struby Joins Stinson's Environmental Practice in Jefferson City as Of Counsel

08.22.2022

Stinson Partners Micah Revell and Aalok Sharma Recognized as Up & Coming Attorneys by *Minnesota Lawyer*

08.02.2022

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Reiter Details Possible Legal Challenges After Recent SCOTUS Decision for *Bloomberg Law*

07.12.2022

The 2022 *Chambers* USA Guide Recognizes Stinson Attorneys and Practice Groups

06.02.2022

Micah Revell and Kevin Savory Examine Renewable Energy Tax Credit Proposals in *Bloomberg Tax* Article

03.25.2022

Stinson Establishes Infrastructure Task Force to Support Clients

03.08.2022

Brittany Barrientos Discusses Supreme Court's OSHA Ruling in *The Business Journals* Article

01.18.2022

Byron Starns Selected to Receive 2021 Minnesota Icon Award

11.19.2021

Stinson Recognized Among the Top National Law Firms in 2022 Best Law Firms Ranking

11.05.2021

*Chambers* USA Recognizes Stinson Attorneys and Practice Groups Nationwide

05.25.2021

Stinson Represents Salina Public Entities in Landmark Environmental Cleanup Case

12.11.2020

Chugach Electric Acquisition Featured in *Global Legal Chronicle*

12.03.2020

Stinson Attorneys Named to 2020 Kansas & Missouri *Super Lawyers* and Rising Stars

11.16.2020

Stinson Recognized Among Top National Firms in 2021 Best Law Firms Ranking

11.05.2020

Byron Starns' Renowned Environmental Law Career Featured by Alma Mater

11.02.2020

112 Stinson Attorneys Selected to the 2021 *Best Lawyers in America* List

08.20.2020

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Stinson Attorneys Named to 2020 Minnesota *Super Lawyers* and Rising Stars

07.20.2020

*Chambers USA* Recognizes Stinson Attorneys and Practice Groups Nationwide

04.29.2020

Stinson Establishes Coronavirus Task Force to Support Clients

03.12.2020

### EVENTS

2023 Business Law Update

03.02.2023

Navigating OSHA's Updated COVID-19 Guidance and Emergency Temporary Standard

06.17.2021

Business Law Update - Minneapolis

Surly's Brewing Co., 02.27.2020

### PUBLICATIONS

Council on Environmental Quality Publishes Phase 2 NEPA Rule

05.06.2024

Bureau of Land Management Rules Signify Shift Toward Conservation

05.03.2024

EPA Releases Suite of Environmental Regulations for Utility Sector: What does it mean for you?

04.25.2024

FTC Bans Worker Non-Competes

04.24.2024

EPA Finalizes Groundbreaking Rule to Regulate Two PFAS under CERCLA

04.19.2024

EPA Sets First-Time Limits for Six PFAS in Drinking Water

04.11.2024

EPA Publishes Clean Water Act "Worst-Case" Spill Rule

03.28.2024

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Securities and Exchange Commission Finalizes Climate Disclosure Rules

03.08.2024

EPA Releases Risk Management Program Final Rule

03.05.2024

The Corporate Transparency Act Found Unconstitutional, Now What?

03.05.2024

EPA Proposes to Regulate Nine PFAS as RCRA “Hazardous Constituents”

02.06.2024

Overview of New Reporting Requirements Under the Corporate Transparency Act

12.05.2023

EPA and State Regulators Outline Region 7 Regulatory Priorities at Environmental Conferences

10.06.2023

Minnesota Announces PFAS Rulemaking

09.18.2023

Supreme Court Decision Alters Interpretation of Waters of the United States

05.31.2023

Minnesota Passes Renewable Energy Policies Impacting Various Industries

05.30.2023

Minnesota Legislature Passes Historic Environmental Legislation

05.23.2023

Minnesota Proposes Environmental Justice Standards for Air Permits

05.18.2023

EPA to Restrict PFAS in Drinking Water

03.16.2023

Federal Railroad Administration Updates Civil Penalty Schedules and Guidelines

03.14.2023

Now is Your Chance to be Heard on the FCC’s New Proposed Drone Regulations

02.03.2023

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Environmental Wrap-Up 2022 and What to Expect in 2023

01.19.2023

White House Announces New Guidance on Evaluating Greenhouse Gas Emissions

01.12.2023

OSHA - What Happened in 2022 and What to Expect in 2023

01.09.2023

Missouri Court Decision Endorses Tariff Variances to Support Development

01.04.2023

EPA Issues Guidance Pushing States to use NDPEs Permits to Reduce PFAS Discharges

12.13.2022

Getting the Lead Out: Escalating State and Federal Priorities

10.25.2022

Minnesota's PFAS Monitoring Plan Signals Increased Enforcement

10.04.2022

Biden Plan Calls for Carbon Neutral Jet Fuel by 2050 With Eye Towards Biofuels

10.03.2022

PFAS Chemicals Slated to Become CERCLA Hazardous Substances

09.01.2022

The Impact of the New Inflation Reduction Act on Infrastructure Initiatives

08.24.2022

Check Your LED Lighting Supplies and Construction Materials or It Could Cost You

08.23.2022

Supreme Court Rejects EPA's Power on Climate Change Regulations

07.01.2022

EPA Sets Health Advisories for Drinking Water

06.17.2022

Biden Administration Takes Concrete Steps to Prioritize Environmental Justice

05.10.2022

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EPA Proposes Accelerating Nutrient Reductions

05.05.2022

U.S. Supreme Court Issues Rulings on Challenges to OSHA ETS and CMS Interim Final Rule

01.13.2022

Sixth Circuit Dissolves Stay of OSHA ETS: What Does it Mean for Employers?

12.20.2021

The EPA Reverts to Pre-2015 Definition in Proposed WOTUS Revision

12.09.2021

Judicial Holdings Throw Vaccine Mandate Implementation into Disarray

12.01.2021

Now is the Time to Evaluate PFAS Liability

10.21.2021

Update on Vaccine Requirements and Roll Out of the Path out of Pandemic Plan

10.15.2021

How Can We Chart a Course on Navigable Waters?

09.30.2021

Biden Administration Announces Heat-Related Hazard Inspection Initiative, Upcoming Rulemaking

09.20.2021

Clean Water Requirements Escalate for PFAS, Nutrients and other Pollutants

09.10.2021

OSHA (Finally) Issues COVID-19 ETS Applicable to Healthcare Industry Along with Updated Guidance for All Workplaces

06.10.2021

Proceed with Caution: Local Orders Lifting Mask Mandates Are Not Blanket Permission Slips to Eliminate Safety Protocols in Workplaces

05.14.2021

Supreme Court Protects Drafts Under Deliberative Process Privilege

03.08.2021

Minnesota Announces "PFAS Blueprint" for Increased Regulation of "Forever" Chemicals

02.12.2021

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DOJ Puts Supplemental Environmental Projects Back on the Negotiating Table

02.05.2021

Biden Administration Issues Wide-Ranging Executive Orders to Protect Workers

02.01.2021

OSHA Issues First New General Workplace Guidance since June 2020

02.01.2021

Tracking Environmental Midnight Rules as the Clock Ticks down on the Trump Administration

*Last updated January 20, 2021, 12.31.2020*

Supreme Court Revives Use of NWP 12 but Uncertainty Remains

07.08.2020

National Defense Authorization Act for Fiscal Year 2021 Passes Out of Committee for Consideration by Full Senate

07.07.2020

Updated: As Agencies Issue Updated Coronavirus Guidance, Existing Policies Should Be Evaluated and Updated

*Content updated May 29, 2020, 05.27.2020*

Working with Environmental Agencies When Managing Business Impacts from COVID-19

04.29.2020

Supreme Court Reverses EPA in Key CWA Groundwater Case

04.23.2020

OSHA Considerations for Employers Deciding Whether to Require or Allow Use of Face Masks in the Workplace

04.13.2020

DOJ Terminates Use of Supplemental Environmental Projects

03.27.2020

EPA Takes Significant Step Toward PFAS Regulation

02.25.2020

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