Services

Environmental

Practice Contacts

David M. Edelstein

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Attorneys

Jacob M. Bartlett

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Mark A. Norman

Anthony L. Osterlund

Gary J. Saalman

Grace E. Saalman

Andrew M. Shonebarger

Brooke N. Zentmeyer

Areas Of Concentration

Environmental Litigation, Dispute Resolution and Crisis Management

Our environmental practice offers broad state, regional and national experience to large corporations, small businesses, real estate development interests and local governments. We provide a full range of legal services in the environmental area, including representation in regulatory affairs, permitting, compliance with federal and state law (and related enforcement actions), commercial and corporate transactions, legislative initiatives and litigation.

Our attorneys have long-term working relationships with both federal and state regulatory and enforcement officials and have participated in the development of many aspects of various environmental regulatory programs. Our deep experience enables us to provide invaluable insight to clients and develop innovative solutions to complex environmental problems.

National Recognition

Our environmental team's work has earned it a **long-standing recognition as a "Leading Law Firm" in Ohio for "Environment"** in the ***Chambers USA*** *guide*. A number of Vorys attorneys are also recognized as "leading practitioners" in this area.

In recent editions, Chambers and Partners notes Vorys' experience in representing **"a wide range of environmental matters for major clients, both local and national."** Chambers also indicates that Vorys **"is always extremely knowledgeable, efficient and on top of the details for the project."** A client described Vorys to Chambers as **"essentially an extension of our company."**

Vorys has also earned recognition for years at both the national level and in Ohio for "Environmental Law" and Environmental Litigation in the Best Lawyers® "**Best Law Firms**" report.

Regulatory

We assist clients in addressing the full range of Ohio and federal permitting procedures and compliance requirements. We counsel clients on air, water and solid/hazardous waste compliance and permitting strategies. We negotiate advantageous permit conditions,

and appeal disputed permit conditions and requirements. In such engagements, our attorneys work closely with in-house counsel, plant personnel and engineering consultants to understand our clients' business needs and to develop cost-effective compliance strategies. Our experience in this area includes the processing of air source and operating permits, Title V permits, National Pollutant Discharge Elimination System (NPDES) permits, pretreatment permits, solid waste and Resource Conservation and Recovery Act (RCRA) and other environmental permits for new and existing industrial, commercial and publicly owned facilities.

Our lawyers are highly involved in the development of environmental laws and regulations at the local, state and national levels. We regularly participate in agency advisory groups to shape Ohio regulations and appear before the Ohio General Assembly, Congress and various government agencies to advise and comment on pending laws and rules. Our attorneys also represent our clients in administrative and judicial proceedings involving regulatory interpretation.

Our engagements in this area include the following matters:

- Representing clients, including foundries, in Title V and PTI appeals and enforcement actions before the Environmental Review and Appeals Commission (ERAC) and appeals from ERAC decisions
- Representing a client seeking to obtain environmental permits for the construction and operation of a synthetic fuel plant
- Representing a school district concerning environmental contamination related to a partial school collapse
- Key involvement in the adoption of several Ohio water quality related statutes, including the Antidegradation Statute, Permit limits Below Quantification Level Procedure Statute and the Sewer Line Review Statute
- Actively participating in numerous major EPA water quality rule revisions, including representing a large coalition of dischargers in the Great Lakes Water Quality Initiative

What We Do

Audits and Compliance

Our clients often draw on the experience and training of our environmental attorneys for assistance in the inspection of operating facilities, the confidential identification of regulatory compliance issues and concerns at facilities across the country, and in obtaining audit privilege protections. With our environmental enforcement experience, our attorneys provide valuable insight that helps our clients to avoid violations and prepare for government inspections. We have experience in planning for United States Environmental Protection Agency (USEPA) and state multi-media inspections. We also work with companies to develop environmental compliance plans and obtain ISO certifications.

Air and Water

Vorys has a long history of involvement in the development and implementation of the Clean Air Act, Clean Water Act and Safe Drinking Water Act at both federal and state levels. In tackling these problems, we emphasize strategic planning with our clients in order to minimize their regulatory obligations and enforcement risk. We represent a wide variety of companies, governments and individuals regulated under the key air and water laws and their complex maze of regulations and guidance.

Solid/Hazardous Waste and Toxic Substances

We regularly assist clients with the preparation of applications to obtain permits for new or modified solid waste landfills and transfer stations, composting facilities, and construction and demolition debris landfills and have defended appeals opposing such permits. We also help negotiate and enforce host-community agreements and have negotiated with citizen groups on behalf of our landfill clients. Our attorneys also regularly advise hazardous waste generators on waste classification issues and disposal options, and we regularly assist our clients with RCRA closure and corrective action obligations. We also assist operators of solid waste facilities with interpretation of applicable siting and operation regulations.

Additionally, Vorys counsels companies involved in manufacturing, processing, importing and exporting chemicals regulated under the Toxic Substances Control Act (TSCA). Our practice ranges from the preparation and filing (or exemption) of PMNs to defending enforcement actions. Often, our TSCA practice is interwoven with our work on patent issues and commercial transactions for chemical manufacturers and laboratories.

Climate Change and Renewable Energy

We are privileged to work for clients at the forefront of the renewable energy industry. Our environmental attorneys regularly work with our cross-disciplinary renewable energy team, which has extensive experience assisting with projects on the cutting edge of alternative energy production, such as solar farms, wind farms, waste energy (including scrap tires and bio-mass), ethanol plants, fuel cells, landfill and industrial gas, industrial co-generation and coke oven gas.

News

News, 8.15.2024
16 Vorys Attorneys Included in the 31st Edition of *Best Lawyers* "Lawyer of the Year"

News, 8.15.2024
More Than 170 Vorys Attorneys Named to the 31st Edition of The Best Lawyers in America® Lists

News, 6.6.2024
Thirty-Four Vorys Attorneys Ranked in 2024 *Chambers USA* Guide

News, 12.29.2023
More Than 30 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.2.2023
Vorys Receives 72 Tier One Rankings on 2024 Best Lawyers "Best Law Firms" List

News, 10.9.2023
74 Vorys Attorneys Included in 2023 *Columbus CEO*'s Best Lawyers

News, 8.17.2023
More Than 155 Vorys Attorneys Named to the 30th Edition of The Best Lawyers in America® Lists

News, 6.1.2023
Thirty-Three Vorys Attorneys Ranked in 2023 *Chambers USA* Guide

News, 1.3.2023
Vorys Elevates 15 to Partner

News, 1.3.2023
More Than 35 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.3.2022
Vorys Receives 69 Tier One Rankings on 2023 *U.S. News – Best Lawyers* "Best Law Firms" List

News, 8.18.2022
115 Vorys Attorneys Named to the 29th Edition of The Best Lawyers in America® List; 33 Vorys Attorneys Named to Best Lawyers: Ones to Watch in America List

News, 7.11.2022
Osterlund Selected to Serve as President of the Cincinnati Bar Foundation

6.29.2022
59 Vorys Attorneys Included in 2022 *Columbus CEO*'s Best Lawyers

6.1.2022
Thirty-Three Vorys Attorneys included in 2022 Chambers USA Guide

News, 1.24.2022
Vorys Advises Intel on Its Historic Chip Fabrication Facility Site Selection Project

News, 1.4.2022
More Than 40 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars Lists

News, 11.4.2021
Vorys Receives 81 Tier One Rankings on 2022 U.S. News – Best Lawyers "Best Law Firms" List

News, 8.19.2021
116 Vorys Attorneys Named to 2022 *Best Lawyers in America* List; 34 Vorys Attorneys Named to *Best Lawyers'* "Ones to Watch" List

News, 5.20.2021
Thirty-Three Vorys Attorneys included in 2021 Chambers USA Guide

News, 12.17.2020
More Than 30 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.5.2020
Vorys Receives 68 Tier One Rankings on 2021 U.S. News – Best Lawyers "Best Law Firms" List

News, 9.15.2020
Sherwin-Williams Names Vorys as a Key Partner for its New Global Headquarters and R&D Center Project

News, 8.20.2020
112 Vorys Attorneys Named to 2021 *Best Lawyers in America* List; 26 Vorys Attorneys Named to Best Lawyers' Inaugural "Ones to Watch" List

News, 4.23.2020
Thirty Vorys Attorneys included in 2020 *Chambers USA* Guide

News, 12.9.2019
Thirty-Nine Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.7.2019
Vorys Receives 66 Tier One Rankings on 2020 U.S. News – Best Lawyers "Best Law Firms" List

News, 8.15.2019
More Than 100 Vorys Attorneys Named to 2020 Best Lawyers in America® List

News, 8.15.2019
Twelve Vorys Attorneys Named 2020 Lawyers of the Year by Best Lawyers

News, 4.26.2019
Thirty Vorys Attorneys included in 2019 Chambers USA Guide

News, 1.2.2019
Vorys Elevates Five to Partner

News, 12.5.2018
Forty-eight Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 12.5.2018
Vorys Client Wins Summary Judgment in an Air Permit Appeal before Ohio Environmental Review Appeals Commission

News, 11.1.2018
Vorys Receives 77 Tier One Rankings on 2019 *U.S. News* – Best Lawyers "Best Law Firms" List

News, 8.15.2018
More Than 100 Vorys Attorneys Named to 2019 Best Lawyers in America® List

News, *Environmental Law360*, 5.21.2018
Norman Quoted in *Environmental Law360* Story Titled "Brownfield Redevelopment Evolving As Savvy Grows"

News, 5.4.2018
Thirty-Two Vorys Attorneys included in 2018 *Chambers USA* Guide

News, 12.5.2017
56 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 10.31.2017
Vorys Receives 70 Tier One Rankings on 2018 U.S. News – Best Lawyers "Best Law Firms" List

News, 8.17.2017
More Than 100 Vorys Attorneys Named to 2018 The Best Lawyers in America® List

News, 12.2.2016
58 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.1.2016
Vorys Receives 71 Tier One Rankings on 2017 U.S. News- Best Lawyers "Best Law Firms" List

News, 8.15.2016
More Than 100 Vorys Attorneys Named to 2017 The Best Lawyers in America® List

News, 8.15.2016
Fifteen Vorys Attorneys Named 2017 Lawyers of the Year by Best Lawyers

News, 5.27.2016
Thirty-Six Vorys Attorneys included in 2016 *Chambers USA* Guide

News, 5.19.2016
Edelstein Featured in Federal News Radio Story Titled "How to Make the Leap to the Private Sector"

News, 12.2.2015
More Than 60 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.5.2015
Giuliani Quoted in *Environmental Law360* Story Titled "Rulings Put Target On Plants Despite Clean Air Compliance"

News, 11.2.2015
Vorys Receives 67 Tier One Rankings on 2016 U.S. News- Best Lawyers "Best Law Firms" List

News, 8.17.2015
More Than 100 Vorys Attorneys Named to 2016 The Best Lawyers in America® List

News, 5.19.2015
Thirty-Nine Vorys Attorneys included in 2015 *Chambers USA* Guide

News, 12.3.2014
More Than 70 Vorys Attorneys Included on 2015 Ohio Super Lawyers and Rising Stars List

News, 11.3.2014
Vorys Receives 63 Tier One Rankings on 2015 U.S. News - Best Lawyers "Best Law Firms" List

News, 8.18.2014
More Than 100 Vorys Attorneys Named to 2015 The Best Lawyers in America® List

News, 12.4.2013
More Than 80 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

News, 11.1.2013
Vorys Receives 64 Tier One Rankings on 2014 *U.S. News* - Best Lawyers "Best Law Firms" List

News, 8.14.2013
Ten Vorys Attorneys Named 2014 Lawyers of the Year by Best Lawyers

News, 8.14.2013
More Than 100 Vorys Attorneys Named to 2014 *The Best Lawyers in America*® List

News, 6.21.2013
Watt Included in *Columbus Business First's* "20 People to Know in Energy" List

News, 5.24.2013
Thirty-nine Vorys Attorneys included in 2013 *Chambers USA* Guide

News, 3.22.2013
Norman Highlighted as a Practical Problem Solver in *Environmental Law360* Article

News, 1.2.2013
Vorys Elevates 13 Attorneys to Partner

News, 12.17.2012
Vorys Attorneys Recognized as 2013 Ohio Super Lawyers and Rising Stars

News, 11.1.2012
Vorys Receives 63 Tier One Rankings on 2013 *U.S. News - Best Lawyers* "Best Law Firms" List

News, 9.12.2012
Six Vorys Attorneys Named 2013 Lawyers of the Year by Best Lawyers

News, 8.23.2012
126 Vorys Attorneys included in the 2013 *The Best Lawyers in America*® List

News, 7.6.2012
Vorys Attorneys Included in *Law360* Story titled "GE To Get $11M From US In CERCLA Settlement"

News, 6.7.2012
Thirty-five Vorys Attorneys Listed in 2012 Edition of *Chambers USA*

News, 5.4.2012
Airey Quoted in *EnergyWire* Story on Ohio's Proposed Hydraulic Fracturing Regulations

News, 3.7.2012
Vorys Successful in Ohio Supreme Court Case Regarding Large-Scale Wind Farm

News, 12.16.2011
75 Vorys Attorneys Recognized as 2012 Ohio Super Lawyers and Rising Stars

News, 12.13.2011
Norman Selected as *Law360* Environmental MVP

News, 9.6.2011
More than 100 Vorys Attorneys named on 2012 The Best Lawyers in America® List

News, 6.27.2011
Watt Appointed Chair of OSBA Environmental Law Committee

News, 6.10.2011
26 Vorys Attorneys Featured in 2011 Edition of *Chambers USA*

News, 3.17.2011
72 Vorys Attorneys Recognized as 2011 Ohio Super Lawyers and Rising Stars

News, 3.11.2011
Briscoe Selected for Inaugural Leadership Council on Legal Diversity Fellows Program

News, 9.17.2010
Vorys Ranks in 26 Categories in Inaugural U.S. News – Best Lawyers "Best Law Firms" List

News, 9.17.2010
Vorys Partner Honored for Environmental Work at University of Cincinnati

News, 8.9.2010
Vorys Ranked #1 Law Firm in Ohio on 2011 *Best Lawyers in America*® list

News, 7.22.2010
Taggart Honored as "Outstanding Center of Influence"

News, 6.24.2010
27 Attorneys Recognized in 2010 *Chambers USA*

News, 4.27.2010
Neal A. Frink Interviewed on 700 WLW's Weekend Show About the USEPA's New Renovation, Repair and Painting Rule

News, 4.6.2010
27 Vorys Attorneys Recognized in 2010 Chambers USA

News, 12.22.2009
Nine Vorys Attorneys Selected As 2010 Leading Lawyers By *Cincy Magazine*

News, 12.22.2009
54 Vorys Attorneys Recognized as 2010 Ohio Super Lawyers

News, *Focus Washington*, 9.1.2009
Teague Discusses Potential Impact of "Cap-and-Trade" Legislation on Ohio Industries

News, 9.1.2008
Watt Recognized with Barbie Tootle Buckeye Spirit Award

News, 3.19.2007
28 Vorys Attorneys Named Leading Lawyers for Business by *Chambers USA*

Publications

Client alert, 7.1.2024
U.S. Supreme Court Overrules *Chevron* Doctrine

Client alert, 4.12.2024
USEPA Announces Final PFAS Drinking Water Rule, Extends Compliance Timeline

Client alert, 4.9.2024
USEPA Issues New Rule Expanding Scope of Regulations Requiring Facility Response Plans for Worst-Case Scenario Discharge of Hazardous Substances under the CWA

Client alert, 4.3.2024
Ohio EPA Seeks Stakeholder Input on Proposed Air Permit Fee Increase

Client alert, 2.13.2024
OSHA Issues New Process Safety Management Directive

Client alert, 2.7.2024
USEPA Finalizes More Stringent PM2.5 NAAQS

Client alert, 2.5.2024
Proposed PFAS Clean-Up Rules Announced by USEPA

Client alert, 11.6.2023
Notice to Ohio Air Permittees: Ohio EPA Considering Increase to Air Permit Fees

Client alert, 11.1.2023
USEPA's Final PFAS TRI Rule Eliminates Reduced PFAS Reporting Options

Client alert, 10.23.2023
California's Landmark Climate Disclosure Laws; What Companies Need to Know

Client alert, 10.3.2023
USEPA's Final PFAS Reporting Rule Requires 12-Year Lookback for PFAS Manufacturers and Importers

Client alert, 7.27.2023
USEPA Announces Potential Reporting Requirements for Hazardous Air Pollutant and PFAS Emissions

Client alert, 7.19.2023
USEPA Proposes Major Expansion of Lead Paint-Related Regulation and Lowers Key Standards

Authored article, 6.15.2023
Ohio's Adoption Of EPA Rules Will Aid Hazardous Waste Cos.

Client alert, 6.5.2023
Ohio Adopted a NEW Hazardous Waste Rules Package with GREAT Opportunities for the RCRA Regulated Community

Client alert, 5.22.2023
Changes to Ohio EPA's Trade Secret Rule Coming June 2023

Client alert, 5.4.2023
It's Not Easy Being Green, and It Could Get Harder - FTC Considering Changes to Green Guides

Client alert, 4.17.2023
USEPA Seeks Input on Designating More PFAS as CERCLA Hazardous Substances

Client alert, 10.24.2022
TRI Reporting Updates: EPA Clarifies "Parent Company" Definition, Requires Foreign Parent Company, Standardizes Naming Conventions

Client alert, 7.7.2022
Superfund Excise Tax on Chemicals Has Been Revived

Client alert, 5.31.2022
Ohio EPA Issues Next Generation of Industrial Stormwater General Permit; Covered Facilities Must Renew Coverage

Client alert, 3.9.2022
USEPA Releases Guidance on Infrastructure Funds for Local Sewer and Water Projects

Client alert, 12.9.2021
Ohio Department of Development Issues Brownfield Remediation and Building Demolition Funding Guidelines – Local Governments Need to Act Fast

Client alert, 10.5.2021
EPA Working to Finalize New Reporting Rule for Thousands of PFAS Substances – Applicable to Everyone Who Manufactures, Produces or Imports (Including PFAS Containing Articles, Which Can Extend to Retailers)

Client alert, 7.26.2021
New Opportunities for Ohio Brownfield and Site Demolition & Redevelopment

Client alert, 6.29.2021
USEPA Proposes New Rule Requiring Additional (and Retroactive) Reporting and Recordkeeping Requirements For PFAS Manufacturers

Client alert, 5.20.2021
Public Comment Period Opens as Ohio EPA Issues Draft Revisions to Reasonably Available Control Technology Requirements for Control of VOC and NOx Emissions

Client alert, 3.15.2021
COVID-19 Safety/Ventilation Funding Available to Universities, Colleges and Schools

Client alert, 1.26.2021
Ohio EPA Division of Air Pollution Control hosted Program Advisory Group Meeting

Client alert, 1.21.2021
USEPA Finalizes Post-Maui Indirect Discharge Guidance

Client alert, 12.18.2020
USEPA Issues Draft Guidance on County of Maui's "Functional Equivalent" Test for NPDES Permits

Client alert, 11.10.2020
Client Alert: New Jersey Latest with Statewide Ban of Single-Use Plastic (and Paper) Bags

Client alert, 10.23.2020
Client Alert: USEPA Finalizes "Project Emissions Accounting" Rule for NSR Permitting Program

Client alert, 10.6.2020
Client Alert: USEPA Clarifies New PFAS Reporting Requirements Under the Toxics Release Inventory

Client alert, 10.5.2020
Client Alert: U.S. EPA Issues Final Rule Overturning 'Once In, Always In' Policy for Major Sources of Hazardous Air Pollutants

Client alert, 9.24.2020
Client Alert: USEPA Issues New Rule Establishing Procedures for Issuance of Guidance Documents

Client alert, 5.6.2020
Re-Opening Your Building? Consider Flushing Your Water System Using Ohio EPA's Guidance!

Client alert, 4.23.2020
Client Alert: U.S. Supreme Court: Indirect Discharge Into Groundwater Covered Under Clean Water Act

Client alert, 4.13.2020
New U.S. EPA Guidance for Site Field Work Decisions Impacted by COVID-19

Client alert, 3.23.2020
Client Alert: Thinking About Delaying Environmental Compliance Due to COVID-19? Think Carefully!

Client alert, 10.1.2019
Oil and Gas Alert: U.S. EPA Proposes Amendments to NSPS Rules for the Oil and Natural Gas Industry

Client alert, 4.22.2019
Client Alert: USEPA Issues Interpretive Statement on NPDES Applicability to Releases of Pollutants from a Point Source to Groundwater

Authored article, *OOGA Bulletin*, 3.1.2019
The WOTUS Saga Continues

Client alert, 1.26.2018
Client Alert: U.S. EPA Withdraws 'Once In, Always In' Policy

Authored article, *Environmental Law360*, 12.18.2017
Ohio's New Practical Approach To Waste Management

Client alert, 12.11.2017
Client Alert: Paint and Related Wastes to be Regulated as Universal Waste in Ohio

Authored article, *Environmental Law360*, 8.10.2016
A Better Approach To Environmental Prosecution?

Client alert, 8.8.2016
Client Alert: USEPA Can Seek Restitution for CERCLA Clean-Up Based on EPA Accounting Table and EPA Employee Testimony Without Further Evidence

Authored article, *Law360*, 4.21.2016
From Gov't To Firm, Happily: Changing Careers Midstream

Client alert, 12.8.2015
Client Alert: Ohio EPA to Begin Discussions on USEPA's Notice of Deficiency for Ohio's SSM Rules

Client alert, 10.7.2015
Oil and Gas Alert: U.S. EPA Enforcing Emissions Standards for Storage Vessels

Client alert, 4.8.2015
Oil and Gas Alert: National Zero Discharge Pretreatment Limit Proposed for Hydraulic Fracturing Oil and Gas Extraction Wastewater Discharged to Publicly Owned Treatment Works

Client alert, 3.26.2015
Client Alert: Ohio Supreme Court Decides Ohio EPA TMDLs Must be Promulgated As Rules

Client alert, 12.1.2014
Client Alert: EPA Proposes More Stringent Ozone Standard

Client alert, 3.14.2014
Oil and Gas Alert: EPA Proposes Revisions to GHG Reporting Rule for Oil and Gas Industry

Client alert, 9.20.2013
Client Alert: Wetlands and Isolated Surface Waters News

Authored article, *American Bar Association Real Property, Trust & Estate Law Section: RPTE eReport*, 6.2013
CERCLA Liability – Current Owner's Inaction Bars Liability Defense

Client alert, 5.15.2013
Client Alert: Ohio EPA Proposes Revisions to Best Available Technology Program

Client alert, 3.26.2013
Oil and Gas Alert: Proposed Legislation to Eliminate Aggregation Exemption for Oil & Gas Industry

Client alert, 2.1.2013
Client Alert: Ohio EPA Proposes Rule Revisions to Its Stage II Vapor Control Requirements for Gasoline Dispensing Facilities

Client alert, 12.12.2012
Client Alert: Ohio Supreme Court Decision on Civil Penalties for Air Permit Violations

Authored article, 5.4.2012
U.S. EPA One Step Closer to Finalizing New Emission Standards

Client alert, 2.2.2012
Oil and Gas Alert: Ohio EPA Issues a Final General Permit for Oil and Gas Well Sites

Authored article, 1.18.2012
The EPA's Common Sense Initiative and Its Legacy on the Finishing Industry

Authored article, 9.1.2011
"E-Check" Tests Vehicle Emissions in Ohio

Client alert, 8.9.2011
Client Alert: USEPA Announces New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the Oil and Gas Industry

Client alert, 7.13.2011
Client Alert: Ohio EPA Requests Comments on Draft General Permit

Authored article, *American Oil & Gas Reporter*, November 2010
Pipeline Safety Reg Bows To API RP-80

Client alert, 4.28.2010
Client Alert: Renovation Rule Looms Over Contractors and Property Managers

Client alert, 11.24.2008
Client Alert: EPA Makes Hazardous Waste Management a Little Easier at Colleges and Universities

Authored article, *Mealey's Personal Injury Report*, 11.10.2008
"How 'Green' Is Your Chemistry: California's Green Chemistry Legislation And Its Impact"

Client alert, 10.22.2008
Client Alert: Paper or Plastic?

Retailers May No Longer Have A Choice As Certain Communities Are Choosing For Us

Authored article, *Industry Week*, 9.10.2008
"Who Decides What's In Your Product?"

Why the Consumer Products Safety Improvement Act of 2008 is just the first step in the regulation of product material composition

Authored article, *Properties Magazine*, 12.2007
"Urban Infill and the Environment: There's More to Location, Location, Location than Meets the Eye."

Authored article, *Business Courier*, 9.28.2007
"Know Environmental Picture Before Tackling Infill Projects"

Authored article, *Business First*, 7.6.2007
"Environmental Homework Will Pay Off When Taking on Infill Projects"

Authored article, *Due Diligence Rules*, 3.2007
Due Diligence Rules

Speaking Engagements

Speaking Engagement, 10.20.2024
The Association of Vapor Intrusion Professionals: 3rd Vapor Intrusion Conference

Event, 4.3.2024
Environmental and Emerging Claim Manager Association Annual Conference

Event, 11.7.2023
The Association of Vapor Intrusion Professionals: 2nd Vapor Intrusion Conference

Event, 7.21.2023
69th Annual Natural Resources and Energy Law Institute

Event, 7.19.2023
32nd Annual Environmental Permitting in Ohio Conference

Event, 6.28.2023
Grow in Ohio: Environmental Due Diligence and Permitting for a New Facility in Ohio

Event, 5.9.2023
2023 Ohio Brownfields Conference Panel

Event, 4.20.2023
Toxic Torts & Environmental Law 31st Annual Spring Conference

Event, 3.28.2023
Health & Safety Symposium

7.20.2022
31st Annual Environmental Permitting in Ohio Conference

6.12.2022
43rd Annual Energy Mineral Law Institute

4.4.2022
2022 EnviroSummit

11.3.2021
Upcoming Changes to the Phase I Environmental Site Assessment Standard

10.20.2021
Advanced Commercial Real Estate Seminar for the Ohio State Bar Association

10.19.2021
The Current State of PFAS Regulation and Litigation: What You Need to Know

Event, 8.25.2021
30th Annual Environmental Permitting In Ohio Conference

7.15.2020
An Overview of HB168 and the Bona Fide Prospective Purchase Defense

8.21.2019
New Rules for the Management of Hazardous Waste Pharmaceuticals are Effective... Now What?

7.24.2019
29th Environmental Permitting in Ohio Conference

6.10.2019
40th Annual Institute Energy & Mineral Law Foundation

3.28.2019
Ohio Environment, Energy and Resources Law Seminar

3.26.2019
Sustainability & Environmental, Health and Safety Symposium

10.5.2018
The Ohio State University Center for Real Estate Breakfast Panel Series

Brownfield Site Development

6.19.2018
Energy & Mineral Law Foundation's 39th Annual Institute

4.10.2018
Energy & Mineral Law Foundation's Special Institute on Petrochemicals

10.20.2015
5th Annual Ohio Surface Water Conference

Hosted by CLE International

9.11.2015
6th Law of Shale Plays Conference

Hosted by the Institute of Energy Law

3.5.2015
Government and Regulatory Affairs Workshop

Hosted by the Ohio Water Environment Association

12.3.2014
The OOGA Winter Expo and Technical Conference

11.21.2013
Northern Appalachian Landman's Association Seminar

4.27.2013
28th Annual Ohio Environment, Energy and Resources Law Seminar

Hosted by the Ohio State Bar Association

12.19.2012
20th Annual Bradley J. Schaeffer Real Property Institute

Presented by the Ohio State Bar Association

8.27.2012
Oil and Gas Leases and the Dormant Minerals Act

Presented by the Ohio State Bar Association

7.18.2012
Utica Shale Play – What It Means for Real Estate Professionals

Presented by Central Ohio NAIOP

5.25.2012
Ohio Oil and Gas Law Symposium

Sponsored by the Ohio State University Agricultural & Resource Law Program

5.23.2012
Ohio Brownfield Conference

Presented by the Ohio EPA

3.27.2012
Sustainability and Environmental, Health & Safety Symposium

Presented by the Manufacturers' Education Council

3.15.2012
Ohio Oil and Gas Association Winter Meeting

Sponsored by the Ohio Oil and Gas Association

3.14.2012
Development of the Utica Shale in Ohio: Regulation, Preservation of Rights and Competing Interests

Presented by HalfMoon LLC

3.7.2012
Oil & Gas Conference

Presented by the Ohio Society of CPAs

12.6.2011
OOGA 2011 Conference Series

Presented by The Ohio Oil and Gas Association

12.2.2011
Environmental and Public Health Concerns of Shale Energy Panel Discussion

Presented by the The Ohio State University's Subsurface Energy Resource Center

7.14.2011
Ohio Shale Production: What You Need to Know

Presented by Vorys, Sater, Seymour and Pease LLP and Hull & Associates, Inc.

4.7.2011
OSBA's 26th Annual Ohio Environment, Energy and Resources Law Seminar

Presented by the Ohio State Bar Association

4.3.2011
Brownfields 2011

3.29.2011
20th Annual Business & Industry's Sustainability and Environmental, Health & Safety Symposium

Presented by MEC Seminars

10.13.2010
Sustainability and Climate Action Planning

Presented by O'Brien & Gere

4.29.2010
OSBA's 25th Annual Ohio Environment, Energy and Resources Law Seminar

Presented by the Ohio State Bar Association

11.12.2009
Current Issues in Commercial Law and Litigation

Presented by Vorys, Sater, Seymour and Pease

5.14.2009
2009 Ohio Stormwater Conference

Presented by the Mill Creek Watershed Council of Communities, the Ohio Water Environment Association, the Regional Storm Water Collaborative, and the Tinkers Creek Watershed Partners

Regulatory

We assist clients in addressing the full range of Ohio and federal permitting procedures and compliance requirements. We counsel clients on air, water and solid/hazardous waste compliance and permitting strategies. We negotiate advantageous permit conditions, and appeal disputed permit conditions and requirements. In such engagements, our attorneys work closely with in-house counsel, plant personnel and engineering consultants to understand our clients' business needs and to develop cost-effective compliance strategies. Our experience in this area includes the obtaining air new source and operating permits, Title V permits, National Pollutant Discharge Elimination System (NPDES) permits, pretreatment permits, solid waste and Resource Conservation and Recovery Act (RCRA) and other environmental permits for new and existing industrial, commercial and publicly owned facilities.

Our lawyers are highly involved in the development of environmental laws and regulations at the local, state and national levels. We regularly participate in agency advisory groups to shape Ohio regulations and appear before the Ohio General Assembly and various government agencies to advise and comment on pending laws and rules. Our attorneys also represent our clients in administrative and judicial proceedings involving regulatory interpretation.

Our engagements in this area include the following matters:

- Representing clients, including foundries, in Title V and PTI appeals and enforcement actions before the Environmental Review and Appeals Commission (ERAC) and appeals from ERAC decisions
- Representing a client seeking to obtain environmental permits for the construction and operation of a synthetic fuel plant
- Representing a school district concerning environmental contamination related to a partial school collapse
- Representing solid waste facilities in various permitting matters, including landfill expansions, air and water renewals and enforcement actions
- Actively participating in numerous major EPA water quality rule revisions, including representing a large coalition of dischargers in the Great Lakes Water Quality Initiative

Key Areas of Focus

Audits and Compliance

Our clients often draw on the experience and training of our environmental attorneys for assistance in the inspection of operating facilities, the confidential identification of regulatory compliance issues and concerns at facilities across the country, and in obtaining audit privilege protections. With our

environmental enforcement experience, our attorneys provide valuable insight that helps our clients avoid violations and prepare for government inspections. We help plan for United States Environmental Protection Agency (USEPA) and state multi-media inspections. We also work with companies to develop environmental compliance plans and obtain ISO certifications.

Air and Water

Vorys has a long history of involvement in the development and implementation of the Clean Air Act, Clean Water Act and Safe Drinking Water Act at both federal and state levels. In tackling these problems, we emphasize strategic planning with our clients in order to minimize their regulatory obligations and enforcement risk. We represent a wide variety of companies, governments and individuals regulated under the key air and water laws and their complex maze of regulations and guidance.

Solid/Hazardous Waste and Toxic Substances

We regularly assist clients prepare applications to obtain permits for new or modified solid waste landfills and transfer stations, composting facilities, and construction and demolition debris landfills and have defended appeals opposing such permits. We also help negotiate and enforce host-community agreements and have negotiated with citizen groups on behalf of our landfill clients. Our attorneys regularly advise hazardous waste generators on waste classification issues and disposal options, and we regularly assist our clients with RCRA closure and corrective action obligations. We also assist operators of solid waste facilities with interpretation of applicable siting and operation regulations.

Additionally, Vorys counsels companies involved in manufacturing, processing, importing and exporting chemicals regulated under the Toxic Substances Control Act (TSCA). Our practice ranges from the preparation and filing (or exemption) of PMNs to defending enforcement actions. Often, our TSCA practice is interwoven with our work on patent issues and commercial transactions for chemical manufacturers and laboratories.

Climate Change and Renewable Energy

We are privileged to work for clients at the forefront of the renewable energy industry. Our environmental attorneys regularly work with our cross-disciplinary renewable energy team, which has extensive experience assisting with projects on the cutting edge of alternative energy production, such as solar farms, wind farms, waste energy (including scrap tires and bio-mass), ethanol plants, fuel cells, landfill and industrial gas, industrial co-generation and coke oven gas.

For more information on our renewable energy practice, click here.

Transactions and Real Estate

Our attorneys have considerable experience in drafting, interpreting and litigating contractual provisions concerning indemnities and assumptions of environmental liabilities. That experience is of great practical benefit to our clients who are involved in acquisitions, divestitures and real estate contract negotiations.

Our engagements in this area have included the following matters:

- Representing a Fortune 500 company in the divestiture of 18 plants in the United States and abroad
- Representing a client in a corporate restructuring of multiple Ohio solid waste facilities, including the transfer and/or assignment of all permits, leases, real estate and business contracts
- Representing a client in the purchase of a RCRA permitted facility that had corrective action obligations and active citizen group attention
- Representing a client in the development of a biomass fueled power plant – permitting, zoning, transmission, agreements, lobbying and more

Vorys regularly manages due diligence investigations in connection with commercial transactions, corporate acquisitions and real estate transactions. Additionally, we often represent lenders in real estate transactions and assist them in evaluating potential environmental liabilities and risks.

Key Areas of Focus

Real Estate

We represent a number of industrial, commercial and residential real estate developers in connection with many federal, state and local environmental law issues. For example, our attorneys often counsel clients in the real estate industry on wetland and stream protection, the Endangered Species Act, historic resource protection, and storm water permitting and compliance. We also regularly work with the United States Army Corps of Engineers and the EPA to obtain permits that allow projects to proceed on schedule.

Many areas are seeing increased local efforts to regulate and, in some instances, drastically curtail land development. In such areas, our attorneys are involved in actively evaluating and, if necessary, challenging improper zoning, land use planning and other governmental restrictions on development.

For more information on our real estate practice, please see here.

Brownfield Redevelopment

Vorys represents the entire spectrum of parties in brownfield redevelopment projects - redevelopers, sellers, buyers, lenders, end users, local governments, contractors and neighboring owners. We combine our environmental, real estate, finance, government incentives and construction law experience to provide a full range of services. The key to our approach is to anticipate complex problems that brownfield projects often encounter and then identify solutions - rather than merely finding problems as they occur and citing regulations which pose barriers to redevelopment. We regularly work with other law firms, developers, end user corporations and financial institutions from around the world on complex, multi-party brownfield transactions.

We work on brownfield projects across the nation, with state and USEPA programs applicable in those states and within various USEPA regions. Our brownfield experience dates back to before the advent of major national and state funding programs and so-called "voluntary" programs. Our practice continues today with active involvement in national and state legislation impacting brownfield reuse. We have

served as lead counsel for all redevelopment aspects, including site selection, the selection of consultants and contractors, oversight of environmental investigations and remediation, coordination with owner and architect/design teams, securing local and state tax incentives and/or special grants, acquisition and subdivision/sale/leasing of the project sites, coordinating financing structure and term negotiation, and interaction with local governments, neighbors and stakeholders.

Our projects include conversion of many different types of former factories, landfills, warehouses, gasoline stations, docks and other industrial sites into such varied uses as office, retail, flex space, residential, park and industrial. Our sites have ranged from massive nine-figure multi-use sites to tiny city lots.