



David M. Edelstein

PARTNER

Cincinnati

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Practice Areas

Environmental

Environmental Litigation, Dispute
Resolution and Crisis
Management

Litigation and Appeals

Education

Cleveland State University
College of Law, J.D., *cum laude*,
2007

Cleveland State University
College of Law, *Journal of Law
and Health*, Editor

Cleveland State University
College of Law, Moot Court, Vice
Chair

Cleveland State University, M.S.,
2007

Ohio Northern University, B.S.,
2003

Bar & Court Admissions

Ohio

David is a partner and co-chair of the environmental practice group for Vorys. His current practice is focused on environmental regulation, enforcement, environmental liability insurance and transactional matters. He works with businesses and government institutions to ensure that their operations are compliant with environmental law. He provides advice to businesses that helps minimize operational and legal risks. In his work, he appreciates clients' desires to keep the environment clean and safe.

Prior to joining Vorys, David served as chief of the criminal enforcement unit for U.S. EPA Region VI in Dallas, Texas. He also served as a RCRA enforcement attorney for the U.S. EPA. His federal court enforcement experience includes trial and litigation work, where he worked closely with the Department of Justice, U.S. Attorneys Offices, and other state and federal regulatory agencies.

Environmental & Legal Focus:

David has handled matters regarding many environmental, health and safety laws including:

- Resource Conservation and Recovery Act (RCRA)
- Clean Air Act (CAA)
- Clean Water Act (CWA)
- Safe Drinking Water Act (SDWA)
- Solid Waste Disposal Act (SWDA)
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Toxic Substances Control Act (TSCA)
- Occupational Safety and Health Administration (OSHA)

David has a science and legal background. He received his J.D. *cum laude* from Cleveland State University College of Law, where he was the vice chair of the Moot Court Board of Governors and an editor of the *Journal of Law and Health*. He received his B.S. in biology from Ohio

Texas

U.S. District Court for the Eastern
District of Oklahoma

U.S. District Court for the
Southern District of Ohio

U.S. District Court for the
Northern District of Ohio

U.S. Court of Appeals for the Sixth
Circuit

U.S. Supreme Court

*Admitted to practice law only in
the states listed above.*

Northern University and his M.S. in environmental science from Cleveland State University, which involved significant laboratory research and analysis.

Career highlights include:

Regulatory

- Assisting a global consumer products company in regulatory compliance with EPA and OSHA regulations, including solid and hazardous waste enforcement issues across multiple facilities
- Assisting a global manufacturer of solar panels in construction, development and regulatory compliance with EPA and OSHA regulations, including solid and hazardous waste compliance and exemptions
- Representing the world's leading manufacturer of acrylic sheet products in environmental compliance matters for multiple facilities located across the U.S.
- Advising a leading provider of products for the metals, manufacturing, refinery and petrochemical industries in RCRA compliance, permitting and variances
- Advising the nation's most significant metals reclaiming company in facility construction, development and operational compliance to include solid and hazardous waste matters, clean water matters and operational matters
- Advising a global sustainable waste management company in regulatory compliance matters at multiple facilities nationwide in matters ranging from solid and hazardous waste compliance, clean water compliance, clean air compliance and enforcement matters
- Preparing clients in the oil, gas & energy sectors for proposed and expected changes in environmental policies and regulations

Litigation/Enforcement

- Negotiating with state and federal environmental agencies regarding the application of RCRA, CAA, CWA, SDWA, CERCLA and SWDA. Ensuring that client interests are fairly and vigorously represented and considered during settlement, civil and administrative proceedings
- Negotiating settlement of disputes and fines with state and federal environmental and occupational health and safety agencies on behalf of clients

- Representing sewer district owners in the implementation of a Consent Decree in a multi-billion dollar CWA cases
- Representing PRPs in major multi-million dollar Superfund matters including statutory clean-up, remediation and property damage
- Representing a sewer district owner in the implementation of a Consent Decree in a multi-billion dollar CWA case
- Representing a major insurer in claims related to legacy environmental contamination, including statutory clean-up, remediation and property damage, including the development of a comprehensive strategy to reduce the risk of liability
- Working with the Department of Justice in civil and criminal enforcement cases, held DOJ special appointment to appear in court on behalf of the U.S. EPA and served as a RCRA counsel in a Federal Tort Claims Act defense case tried in federal court
- Leading negotiations in two top nationally significant pollution reduction cases in 2009 and 2010, both of which were RCRA cases
- Leading negotiations in top nationally significant pollution reduction cases

Transactional

- Providing environmental due diligence services to business clients for various environmental and worker safety regulations
- Utilizing unique experience with U.S. EPA and deep, technical understanding of environmental legislation to negotiate agreements by identifying environmental risks hazards and minimizing pollution legal liability
- Experienced in negotiation with Ohio EPA and the Ohio Attorney General's Environmental Background Investigation Unit (EBIU) in the transfer and modification of RCRA permits

Honors & Recognitions

The Best Lawyers in America, Environmental Law, 2024-2025; Litigation – Environmental, 2024-2025

Chambers and Partners, Leading Lawyer in Environment, 2023-2025

Professional and Community Activities

Ohio Environmental Services Industry, Board Member

Association of Vapor Intrusion Professionals, Board Member