



## David M. Edelstein

PARTNER

### Cincinnati

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Cincinnati, Ohio 45202

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### Practice Areas

Environmental

Environmental Litigation, Dispute  
Resolution and Crisis  
Management

Litigation

### 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 in the Vorys Cincinnati office. 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)
- 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 Northern University and his M.S. in environmental science from Cleveland State University, which involved significant laboratory research and analysis.

Texas

U.S. Court of Appeals for the Sixth Circuit

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

U.S. Supreme Court

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

**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
- 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
- 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 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

*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; Litigation – Environmental, 2024

*Chambers and Partners*, Leading Lawyer in Environment, 2023

## Professional and Community Activities

Ohio Environmental Services Industry, Board Member

Association of Vapor Intrusion Professionals, Board Member