



Environmental Advice and Litigation

Chapman represents companies, lenders, trustees, and municipalities in connection with environmental compliance matters and in environmental disputes across numerous industries. Our work involves a wide range of rulemaking, enforcement action, agency investigation, and claim and cost recovery issues involving air, water, and soil contamination.

Compliance, Permitting, and Rulemaking. Chapman attorneys routinely counsel clients on brownfields redevelopment, disclosure, permitting, rulemaking, and regulatory compliance matters, including matters involving underground storage tanks, release reporting, and recordkeeping under the Clean Air Act and Clean Water Act. We represent clients in administrative proceedings, in connection with federal and state agency investigations and enforcement actions, and in formulating comments with respect to the environmental rulemaking process.

Regulatory Actions. Our experience includes advising clients with respect to various matters related to their compliance with environmental laws, regulations, and permits, and responding to regulatory investigations and enforcement actions under the following statutes:

- Clean Water Act (CWA)
- Clean Air Act (CAA)
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or “Superfund”)
- Occupational Safety and Health Administration (OSHA)
- Resource Conservation and Recovery Act (RCRA)

Litigation. We defend and enforce the rights of both public entities and private parties in a wide variety of litigation matters arising from environmental contamination, including indemnification and other contractual disputes, toxic tort, negligence, nuisance and trespass claims, and cost recovery actions. Our experience also includes the defense of class actions, the prosecution of insurance recovery suits, and the

Attorneys

Kristin L. Parker

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Related Practices

Bank Defense

Commercial Foreclosure and
Real Estate Litigation

Commercial Litigation and
Alternative Dispute
Resolution

Consumer Finance Litigation

Employment Law

Fiduciary Litigation

Merchant Bank Credit Card
Processing Claims

Securities Litigation and
Arbitration

enforcement of environmental claims in bankruptcy proceedings.

REPRESENTATIVE MATTERS

DISPUTES AND LITIGATION

- Served as environmental counsel to a Midwest forest preserve district, providing legal advice and litigation services with respect to post-closure of its landfills, operation of its landfill gas to energy plants, land acquisitions and the recovery of costs to remediate, as well as restoration costs, arising from a third party's pollution of a river running through its preserves.
- Recovered the multimillion-dollar replacement costs of a defective ten-mile wastewater pipeline servicing a manufacturing facility in Washington, in litigation against and negotiation with the installation contractor, pipe manufacturer, and design engineer.
- Represented a Midwest county with respect to the enforcement of its contractual rights to compel remediation of landfill gas migration and related issues.
- Represented a client asserting a multimillion-dollar indemnity claim relating to the discovery of soil and groundwater contamination.
- Mediated litigated claims under RCRA on behalf of a trustee.
- Prosecuted litigation against various insurers of a Midwest forest preserve district, collecting a substantial portion of the remedial costs of a Superfund site owned by that district.

REGULATORY MATTERS

- Represented a retail automotive chain in connection with the national Clean Air Act and Clean Water Act enforcement cases as well as compliance matters in state and local jurisdictions throughout the country.
- Represented a large refuse company in connection with its \$1.9 billion sale of its U.S. solid waste business.
- Represented a fertilizer company in connection with federal EPA enforcement actions under the Clean Air and Clean Water Acts.
- Resolved a state enforcement action on behalf of a gas pipeline company alleging violation of state water quality standards.
- Represented a gas company in connection with a CERCLA administrative order regarding the investigation and remediation of residential homes impacted by historic manufactured gas plant operations.
- Represented a real estate seller in connection with the cleanup of a site under the Illinois Site Remediation Program.
- Represented a client in connection with its acquisition of two gas-fired peaking power plants from First Energy Corp.
- Represented an insurance company lender in a workout involving the investigation and transfer of a Superfund site.

- Represented a copper reclamation company in a CERCLA action related to the cleanup of an East Coast scrap yard.
- Served as environmental counsel to an aerospace manufacturer in connection with the Clean Air Act permitting issues, in Superfund litigation, and in connection with the redevelopment and closure of environmentally impaired real estate.

RISK AND LIABILITY ADVICE

- Advise banking institutions in connection with environmental risks and liabilities in a wide variety of transactions across multiple industry sectors, including agriculture, food processing, oil and gas, fertilizer and manufacturing.
- Advised investors and lenders in connection with various renewable energy financing projects, including the construction, development, and operation of solar, wind, and hydroelectric power renewable energy projects.
- Advised a food manufacturing company in connection with environmental issues arising from its \$1.45 billion acquisition of a related enterprise.
- Advised a beef packing and leather tanning company in connection with environmental, safety, and health issues, including compliance with federal EPCRA requirements.