

## ▶ ENVIRONMENTAL LAW

Williams Kastner has an active Environmental Practice Group with extensive experience handling a broad range of matters including:

- Superfund and MTCA remedial actions
- Natural Resource Damage (NRD) claims
- Wetlands and habitat evaluation, restoration and mitigation
- Clean Water Act permitting and alleged violations
- Hazardous waste management
- Solid waste management
- Real estate transactions and development issues
- Risk analysis and lender environmental liability
- Environmental insurance coverage litigation
- Environmental and occupational health regulatory compliance
- Toxic tort litigation
- Private cost recovery litigation
- Bankruptcy
- Permit applications/mitigation planning
- Sensitive lands/shoreline management
- Water quality licensing and enforcement issues
- Water rights



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- Environmental planning, including NEPA, SEPA, growth management
- Oil pollution control issues, including contingency planning
- Packaging and container regulatory compliance
- Transportation terminal and facility site environmental risk analysis
- Transporter interface issues with transfer, storage and disposal facilities

Our attorneys regularly assist clients in complying with federal and state environmental laws and regulations. They have a unique perspective, having represented clients in both regulatory actions and litigation arising therefrom. This experience extends to negotiation with and litigation against environmental regulatory agencies; representing clients threatened with criminal action, fines and penalties arising from environmental matters; and representing clients in complying with hazardous waste cleanup programs and monitoring their consultants and contractors. A significant aspect of the firm's environmental practice includes representing clients in broad-reaching land use, wetlands and sensitive area issues, as well as negotiation with and litigation against various local and state agencies regarding development restrictions and permitting problems.

### **Solid Waste**

Williams Kastner serves as regional counsel for a number of large clients in the solid waste industry in a wide range of matters including: regulatory matters, employment law, litigation, real estate, general business law and product liability.

We perform regulatory, transactional and litigation work for national, regional and local solid waste collection and disposal companies. Our team of attorneys dedicated to the waste industry has effectively represented solid waste carriers and transportation clients on a variety of safety and economic issues before regulatory agencies, including. These regulatory agencies include:

- Washington Utilities and Transportation Commission ("WUTC")
- Department of Labor and Industries
- Department of Revenue
- Oregon Department of Transportation
- U.S. Department of Transportation
- Federal Motor Carrier Safety Administration

Our representation includes matters related to:

- Contract disputes
- Rates

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- Licensing
- Municipal tax challenges
- Municipal annexation
- Environmental & land use
- Labor & employment
- Antitrust

Washington remains one of three states which regulates rates and/or service of solid waste carriers at the state level. Knowledge and depth of solid waste regulatory experience with the Washington Utilities and Transportation Commissions critical to comprehensive and successful solid waste representation in the state.

The leader of the practice team dedicated to the waste industry, David Wiley, has been active for over 25 years as an associate member of the Washington Refuse and Recycling Association (“WRRRA”). Mr. Wiley speaks frequently at WRRRA meetings and conventions on state solid waste issues.

### **Transportation**

Our experience in the transportation industry includes licensing, advising and general representation of solid, biomedical and hazardous waste carriers at the local, state and federal levels. We also represent clients in transporter liability matters under state and federal environmental laws.

### **Real Estate & Development**

The impact of environmental regulation is particularly strong in the area of real property transactions and related commercial lending. The firm has developed forms and checklists to assist sellers, buyers, lessors, lessees and lenders in real estate transactions. The firm has also authored a hazardous waste lending policy for our financial service clients. Our focus continues to be towards preventative actions to avoid or limit exposure to environmental problems. We have worked hard to emphasize to our clients that environmental risks can be reduced by proper investigation, documentation and understanding of this area of law.

### **Water Rights & Quality**

The Pacific Northwest experienced significant growth in the 1980s, a trend expected to continue through the next decade. To control growth, federal, state and local governments have intensified water quality permitting and enforcement efforts. The firm has handled significant Federal Clean Water Act and State Pollution Control Act litigation. Representation includes national pollutant discharge elimination system

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(NPDES) permitting and compliance issues, penalty hearings and defense of natural resources/habitat damage claims. Companion issues include representation of developers and property owners in wetlands, growth management, and fish and wildlife protection issues, including State Hydraulic Code, stream flow, pollution discharge and oil spill contingency planning matters.