

AT A GLANCE

100+ lawyers in 8 U.S. offices,
including 50 litigators

Numerous former U.S. and state
government officials

Flexible staffing and fee
arrangements

International capabilities

Recognized leadership on
diversity and inclusion

We help clients around the world resolve critical environmental and sustainability issues relating to their facilities, products, and operations. Our team includes former senior officials from federal and state resource and environmental agencies.

Learn more at bdlaw.com.



Navigating global environmental, health, and safety challenges

We're not an "everything" law firm. We're the environmental law firm - fully focused on the environmental, natural resource, and sustainability issues businesses face today. We provide comprehensive and strategic representation in regulatory compliance, litigation and dispute resolution, and project development and transactional matters.

Environmental and product regulatory counseling

Whether dealing with products or facilities, we know where environmental regulation and enforcement have been and where they are going, and we help our clients address present and future challenges.

- Air, water, and waste permitting and compliance
- Chemicals, pesticides, and biotechnology
- Corporate investigations and government enforcement actions
- Market access requirements
- Environmental reporting, supply chain management, and NGO interactions
- National and regional product "take-back" programs

Protecting your interests: litigation and alternative dispute resolution

A deep bench of trial lawyers augments our regulatory and transactional expertise to secure favorable results for our clients in litigation and enforcement matters.

- Civil and criminal enforcement actions
- Product liability and toxic torts
- Citizen suits
- Challenges to agency action
- Contaminated property cases
- General commercial and insurance litigation

Our white collar team includes a former federal environmental crimes prosecutor and a former criminal investigator who manage high-stakes investigations and develop effective compliance and risk management programs.



Supporting project development, permitting, and transactions

We advise U.S. and international companies on environmental matters relating to their strategic plans to develop projects, engage in joint ventures, and invest in or expand their businesses in the U.S.

- Analysis of U.S. environmental and natural resource law and regulation
- Environmental due diligence in transactions
- Facilitating introductions to industry participants, NGOs, and government leaders
- Brownfields redevelopment
- Defense of project approvals and permits in administrative and judicial proceedings
- Federal land use and development

Cost-effective project management, budgeting, and value

We have a long track record of helping clients manage their budgets through a combination of attractive hourly billing rates and alternative billing arrangements, including risk-sharing, flat-fee, and retainer arrangements. We invest in client relationships for the long-term and are committed to ensuring our clients receive exceptional value.

Recognition

- Environmental Law Firm of the Year, *U.S. News-Best Lawyers*, 2018
- Environmental Practice Group of the Year, *Law360*, 2016
- U.S. Environmental Law Firm of the Year, *Chambers USA*, 2016
- Midsize Hot List, *National Law Journal*, 2011, 2012, 2013, 2015, 2016
- 10 Mightiest Environmental Practice Groups, *Law360*, 2015
- Tier 1 nationwide for Environmental Law and Environmental Litigation, *U.S. News-Best Lawyers*
- National and state leaders in Environmental Law, *Chambers USA Guide to the Legal Profession*
- National leaders in Environmental Regulatory & Transactional and Environmental Litigation practices, *The Legal 500 U.S.*
- Environmental Law Firm of the Year, *The Legal 500 U.S.*, 2015
- Outstanding Achievement Award, Washington Lawyers' Committee for Civil Rights and Urban Affairs, 2015
- Law Firm Diversity Award, Defense Research Institute, 2015
- Excellent Supplier Award, SunCoke Energy, 2013
- Thomas L. Sager Award, Minority Corporate Counsel Association, 2013
- Legal Department Diversity Award, AT&T, 2013

Areas of Focus

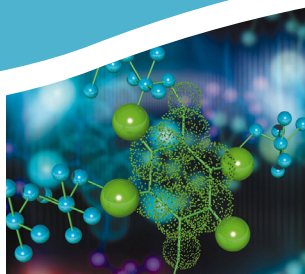
- Chemical regulation and risk assessment
- Pesticides and biotechnology
- Climate change regulation and air permitting
- Project development and land use
- Water quality regulation
- Consumer product material restrictions, marketing and labeling
- Wetlands and endangered species
- Conflict minerals, timber, and supply chain management
- Occupational health and safety requirements
- Electronic waste
- International environmental regulation and governance
- Environmental stewardship and sustainability
- Transportation and infrastructure
- Environmental cleanups, waste management and citizen suits
- Energy projects

**BEVERIDGE
& DIAMOND_{PC}**
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Comprehensive, business-focused advice to the global chemicals industry

CAPABILITIES

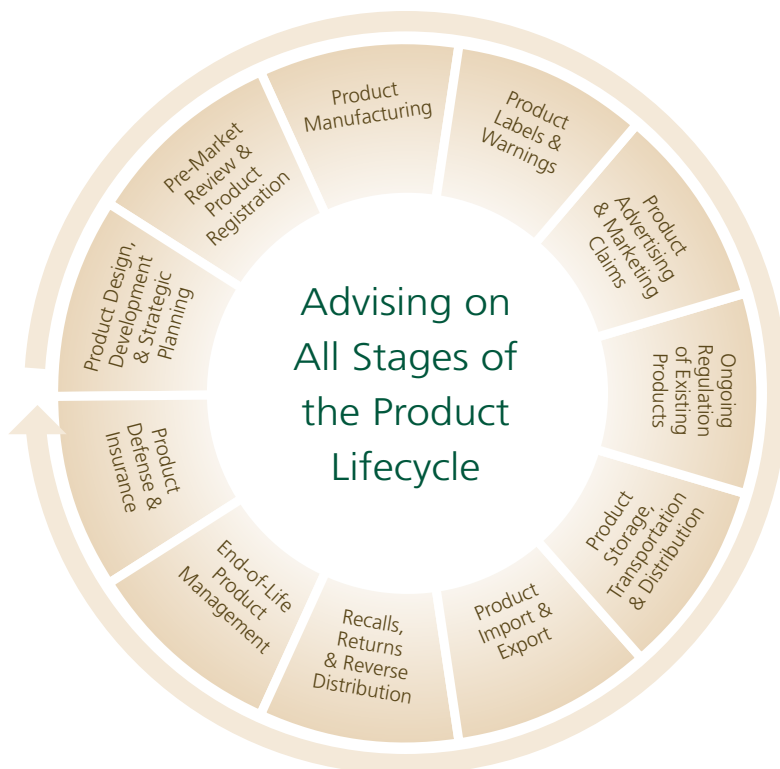
- Chemical regulation, including TSCA, REACH, and RoHS
- Domestic and international chemical notification and inventory requirements
- Environmental, health, and safety requirements for products and facilities
- Conflict minerals, wood products, and supply chain documentation
- FDA-regulated products
- Environmental marketing, including FTC "Green Guides"
- Consumer product regulation
- Nanotechnology and biotechnology
- Environmental stewardship and sustainability
- Green chemistry and California Proposition 65
- Hazardous waste handling and disposal requirements
- Spill response and emergency planning

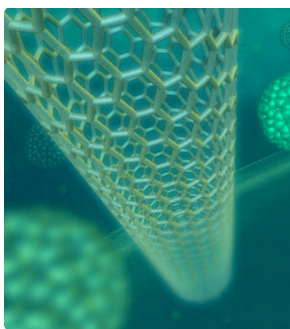


Chemical manufacturers and distributors, as well as formulators, fabricators, and chemical end-users, face a constant barrage of new and changing regulatory compliance obligations as they work to get their products to market safely around the world.

Our chemicals, products & nanotechnology group provides strategic, business-focused advice to our clients' legal, EHS and technical teams.

We work with large and small companies from industries including basic and specialty chemicals, pharmaceuticals, electronics, crop protection, food contact materials and additives, and consumer products. We also serve as counsel to the American Chemistry Council (ACC) on Toxic Substances Control Act (TSCA) issues, and we advise ACC and other industry associations on a wide range of issues.





Blending legal and technical expertise to get results for our clients

Core Services

- Strategic advice
- Regulatory counsel and compliance audits (including OSHA)
- Facility construction and permitting assistance
- Interactions with federal, state, and international regulatory bodies
- Enforcement and product defense
- Litigation, including toxic tort defense

Representative Matters

- Representing the chemical industry and other industry groups as lead counsel in a successful rulemaking challenge premised on EPA's failure to use the best available science in setting health-based standards.
- Defending chemical companies in civil enforcement actions brought by federal and state agencies and by citizens under TSCA, the Clean Air Act, the Clean Water Act, the Emergency Planning and Community Right-to-Know Act, and the Resource Conservation and Recovery Act.
- Preparing technical and scientific comments on rulemakings and other agency action related to human health risk, such as Integrated Risk Information System assessments.
- Preparing information correction requests with respect to technical and scientific information disseminated by agencies and pursuing administrative and judicial appeals with respect to requests that are not adequately addressed under the Information Quality Act.
- Representing the U.S. chemical industry in numerous international negotiations concerning international controls on chemical use and production, including the UNEP POPs Convention, the Rotterdam PIC Convention, and initiatives in Europe and North America targeting persistent, bioaccumulative, and toxic chemicals (PBTs).
- Defending employers cited by OSHA or state counterparts for alleged safety, health, or process safety violations, including fatality cases.

Resources

Visit our TSCA Reform Resource Center at www.bdlaw.com/TSCAReform.

ABOUT BEVERIDGE & DIAMOND, P.C.

Over 100 lawyers in eight U.S. offices focus on environmental and natural resource law, land use, and litigation and alternative dispute resolution. We help clients around the world resolve critical environmental, land use and sustainability issues relating to their products, facilities, and operations.

Learn more at bdlaw.com.

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**BEVERIDGE
& DIAMOND** PC
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Helping multinational clients navigate rapidly evolving Latin American environmental laws

KEY FOCUS AREAS

- Product stewardship and reverse logistics
- Regulation, import, and labeling of toxic substances, pesticides, fertilizers, pharmaceuticals, cosmetics, foods, and consumer products
- Hazardous and non-hazardous waste management (including transboundary waste shipments)
- Environmental impact assessments
- Contaminated property liability and remediation
- Litigation and enforcement defense strategy
- Audits and compliance assessments
- Transaction and due diligence counseling
- Permitting and compliance reporting



With one of the most experienced, diverse, and dynamic Latin American environmental law practice groups in the United States, we provide in-depth legal analyses, risk reduction strategy assessments and compliance counseling on a variety of issues arising under the domestic environmental regulations of most Latin American countries, with emphasis in Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, and Peru.

Our core Latin American practitioners are fluent in either Portuguese or Spanish; have studied, lived or worked in the field of environmental law in Latin America; and have written articles or co-authored treatises relating to Latin American environmental law. We maintain domestic and international practices that inform our analysis and approach to problem-solving on regional matters. Our practical expertise is enhanced by our close working relationships with leading in-country environmental counsel and consulting firms with specialties in Latin America.

Since 2015, *Latinvex*, a leading Latin American business publication, has recognized Beveridge & Diamond as one of “Latin America’s Top 50 Law Firms,” and it has named Maddie Kadas, the firm’s Latin American Region Practice Chair, one of “Latin America’s Top 50 Female Lawyers” for four consecutive years.





Representative Matters

- **Mexican Energy Reform.** For a major refiner, helping navigate the complex environmental, health and safety laws overseen by Mexico's new hydrocarbons environmental agency, ASEA.
- **Product Stewardship.** For a Fortune 50 company, providing in-depth legal research, analysis and strategic counseling on the end-of-life management of waste electronic and electrical equipment under the environmental laws of Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, and Peru.
- **Regulatory Tracking.** For electronics trade associations, providing regulatory tracking of key product stewardship and waste initiatives pending in national legislatures and environmental agencies.
- **Rulemaking.** Under the auspices of local trade associations, preparing comments on proposed regulations and technical initiatives of key Latin American countries, and succeeding in shaping emerging legal regimes.
- **Strategic Investment Counseling.** For a major manufacturer, analyzing existing and expected environmental infrastructure and legal regimes in emerging markets in Brazil, Argentina, and Chile to evaluate investment opportunities and possible regulatory barriers to the manufacture and sale of goods in target markets.
- **Transactions.** For companies from various industrial sectors, providing due diligence review and post-closure permit transfer assistance relating to facilities and products throughout Latin America.
- **Regulatory Advocacy and Permitting.** Helping clients prepare permit applications, and negotiating with environmental agencies for flexibility in the application of newly enacted regulatory requirements in Argentina, Brazil, Chile, Colombia, Costa Rica, and Mexico.
- **Import and Export Counseling.** Advising clients on the legal requirements governing international trade in hazardous materials, wastes, bulk commodities, and chemical and consumer products throughout Latin American.
- **Environmental Management and Compliance Counseling.** For a Fortune 50 consumer goods manufacturer, reviewing and evaluating environmental management programs of its subsidiaries worldwide, including facilities in Argentina, Brazil, Colombia, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Mexico, Uruguay, and Venezuela.

Visit our Latin American
Environmental Regulation
Resource Center at
bdlaw.com/LARResources

ABOUT BEVERIDGE & DIAMOND, P.C.

Beveridge & Diamond focuses on environmental and natural resource law and regulation as they apply to business strategy, regulatory compliance transactions and project development, litigation, and alternative dispute resolution. We help clients around the world resolve critical environmental and sustainability issues relating to their facilities, products, and operations.

Learn more at bdlaw.com.

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**BEVERIDGE
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Blending courtroom
savvy with regulatory
depth in Texas and
beyond

CAPABILITIES

- Administrative Litigation
- Alternative Dispute Resolution
- Appeals
- CERCLA/Superfund Litigation
- Challenges to Agency Rules
- Challenges to State and Local Law/Preemption
- Citizen Suit Defense
- Civil and Criminal Enforcement Defense
- Class Action Defense
- Constitutional Litigation/Commerce Clause and Takings/Section 1983
- Contaminated Property Actions
- Contracts and Indemnification
- Cost Recovery Actions
- Commercial Litigation
- Insurance Coverage Litigation
- Nuisance Litigation
- OSHA Litigation
- Pesticide Data Compensation Arbitrations
- Product Liability Litigation
- Project Development Litigation
- Toxic Tort Defense
- Trials
- White Collar Investigations and Defense



A Full-Service Litigation Team in Texas with Nationwide Capabilities

Beveridge & Diamond's Austin office offers a team of experienced litigators with capabilities to represent clients in court, both in Texas and nationwide. Our litigation practice covers the full spectrum of environmental issues, from traditional claims under federal laws like the Clean Water Act, to toxic tort and product liability defense, to insurance recovery.

In addition to our focus on environmental litigation, our Texas litigation group brings unique value to clients because of our seamless collaboration with the Firm's deep bench of diverse environmental regulatory practitioners. We staff matters leanly with the appropriate combination of knowledge and experience for each matter, and draw upon the skills of our capable associates and paralegals as needed.

We litigate major matters in federal and state trial and appellate courts in Texas and across the nation. Clients—including Fortune 50 companies and America's largest municipalities—entrust us with novel and complex litigation matters vital to their continuing operation and business success. Our litigators first-chair major national litigation, and serve as coordinating counsel in high-stakes cases impacting entire industries.

The Firm's alternative dispute resolution (ADR) capabilities include ongoing representations in large, complex, trial-type arbitrations with disputed amounts in the eight figures, and successful use of voluntary and court-imposed mediation and other ADR procedures. Particularly in the pesticide and Superfund contexts, we are a leader in crafting cost-effective ADR structures and winning resolutions.

Recent Trial Court and Appellate Experience

Climate Change Litigation: Defending a case alleging imminent harm from a coastal facility due to alleged climate change related impacts.

Lead in Drinking Water Toxic Tort Class Action Defense: Securing, on behalf of a large public water utility, denial of class certification of a putative class of tens of thousands claiming injuries due to lead in drinking water. In the subsequent



individual actions we won partial summary judgment on all negligence claims based on the court's ruling that the "public duty doctrine" protects government entities from lawsuits related to certain public services such as distributing drinking water.

First-Impression RCRA Litigation: Securing the dismissal of a Resource Conservation and Recovery Act citizen suit involving allegations that injection of oil and gas production wastewater in underground wells causes earthquakes.

Novel Clean Water Act Citizen Suit Theory: Defending a freight railroad in a case in which Plaintiffs sought to expand the reach of the Clean Water Act to fugitive coal dust from rail cars. We took the case to trial and Plaintiffs settled for a tiny fraction of their claim, without establishing their theory of liability.

Air Enforcement: Gaining intervention for a petroleum refiner whose Title V operating permit had been challenged in a Clean Air Act citizen suit against the EPA. Had the permit been revoked, the refinery would have been shut down indefinitely, causing hundreds of millions of dollars in losses. Our intervention brought the EPA and the citizen group to the negotiating table, which resulted in a joint stipulation to dismiss the suit with prejudice.

Vapor Intrusion: Obtaining a favorable settlement on behalf of a major oil and gas company in a citizen suit filed in federal district court in Texas claiming an endangerment to health and over \$30 million in damages allegedly caused by vapor intrusion from releases from underground storage tanks.

PCB Contamination: Defending a major chemical company, first in a federal bench trial and now on appeal, in a CERCLA action by the owner of a chemical manufacturing facility seeking to recover past and future PCB clean-up costs. The Firm was successful in obtaining dismissal of several of the plaintiff's claims prior to trial, including on an issue of first impression regarding the statute of limitations for cost recovery claims for CERCLA remedial costs.

Insurance Coverage Litigation: Representing a chemical manufacturer in a multi-forum federal litigation regarding insurance coverage for potential environmental liabilities at a facility in Oregon, and obtained a voluntary dismissal of the insurers' declaratory judgment action on favorable terms.

Water Permitting: Securing a ruling from the Texas Third Court of Appeals, upholding a Texas Pollutant Discharge Elimination System permit for a power plant facility. The case was one of first impression in Texas concerning the requirements for "cooling water intake structures" for existing power plants.

Landfill Expansions: In three separate appellate cases, securing rulings from the Texas Third Court of Appeals and Seventh Court of Appeals upholding permits authorizing the expansions of three Central Texas municipal solid waste landfill facilities. These expansions provide much needed waste disposal capacity for the rapidly growing Central Texas area.

Unrivalled leadership in environmental law: ranked Tier 1 nationwide for Environmental Litigation by *U.S. News-Best Lawyers*, nationwide and in Texas for Environment by *Chambers USA*, and an "Environmental Powerhouse" by *Law360*

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