



Navigating California's complex environmental regulatory regime.



### KEY FOCUS AREAS

Air permitting, compliance, and enforcement

California Proposition 65 and Green Chemistry Initiative

Chemical listings and restrictions

Climate change, California AB 32, GHG emissions trading

Contaminated properties

Emergency Planning and Community Right-to-Know Act

Environmental due diligence and transactions

Environmental and toxic tort litigation

Environmental marketing

Global product stewardship and supply chain due diligence (Conflict Minerals Rule, Lacey Act)

Insurance recovery

Land use permitting and litigation

National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA)

Risk assessments and internal audits

Solid and hazardous waste permitting, compliance, and enforcement

State, regional, and federal government investigations

Water quality permitting, compliance, and enforcement

Worker safety, California Occupational Safety & Health Act

Beveridge & Diamond's California office represents clients throughout California, around the U.S., and worldwide on environmental and land use issues affecting their facilities, operations, and products. We also represent clients in litigation matters before California and federal courts.

Clients benefit from our deep understanding of the interplay between California's complex statutes and regulatory programs and federal environmental regulations and enforcement. Our nationwide team of more than 90 environmental practitioners provides complete coverage for matters large and small.

## California and U.S. Product Regulation

We have deep expertise on California-specific regulations such as CEQA, Proposition 65, California Energy Commission appliance efficiency standards and requirements, and California Air Resources Board (CARB) regulation. We regularly advise on requirements that impact or relate to product supply chains, including disclosures pursuant to the Securities and Exchange Commission's Conflict Minerals Rule and the California Transparency in Supply Chains Act.

## Climate Change

We advise clients on climate change initiatives and cap-and-trade policies, particularly California's ground-breaking AB 32 program. Our practice includes advocacy within CARB's rulemaking process, compliance counseling, handling enforcement matters, and GHG emission trading.

## Project Development, Transactions, and Contaminated Properties

We assist builders, developers, property owners, and municipalities to secure project permits and approvals from federal and state natural resources agencies, and to defend project decisions and policies. We act as environmental counsel to sellers, purchasers, landlords, tenants, and lenders in commercial transactions involving facilities in California and around the country. We advise clients on environmental cleanups, including helping PRP groups and individual clients negotiate cost sharing agreements and limit liability exposure at complex Superfund sites — and sediment sites in particular.



## Litigation & Enforcement

We help clients manage and resolve environmental, commercial, and land use disputes. We are widely known for our toxic tort litigation expertise, and we regularly defend clients against environmental enforcement matters, with particular expertise in citizen suit cases under the Clean Water Act and other environmental statutes.

## Representative Matters

- **Sale of largest urban infill Brownfield project in California.** We served as environmental counsel for the owner of the Sacramento Railyards, a 240-acre site that had been contaminated by 130 years of railroad operations.
- **Cap-and-Trade representation.** We represent one of California's largest clean energy providers with respect to all aspects of California's Cap-and-Trade Program. We also represent clients on Cap-and-Trade compliance and litigation and have handled numerous offset transactions.
- **Supply chain management.** We prepared and updated a Fortune 50 client's global specifications for products obtained from suppliers, including provisions related to material restrictions, packaging, product labeling, supply chain disclosures, Proposition 65, and more.
- **Landfill expansion.** We won a California Court of Appeal ruling that allowed our client's landfill expansion project to proceed over the objections of environmental groups. The Court's published and unanimous decision reversed a trial court ruling that had sided with the plaintiffs and established important new precedent under CEQA.
- **Groundwater contamination.** We are defending a chemical manufacturer against third party allegations that dry cleaning solvent leaking from an onsite storage tank resulted in soil and groundwater contamination.
- **Criminal investigation.** We are defending a manufacturer in the context of a federal criminal investigation against alleged violations of industrial wastewater pretreatment requirements at several manufacturing facilities across the U.S.
- **Site remediation.** We represent the largest PRP group at the Yosemite Slough Superfund site in San Francisco, which is U.S. Environmental Protection Agency Region IX's largest contaminated sediment site.
- **Transportation infrastructure.** We advise a large California municipality on environmental issues involving highway and transit projects.
- **NEPA assignment.** We advise States applying for and assuming NEPA responsibility from the Secretary of Transportation for highway projects.
- **Native American tribes.** We assist Native American tribes with environmental and project development issues on and off tribal lands.

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SAN FRANCISCO, CA | SEATTLE, WA | WASHINGTON, DC

## ABOUT BEVERIDGE & DIAMOND

Beveridge & Diamond's more than 125 lawyers across the U.S. focus on environmental and natural resources law, litigation and alternative dispute resolution.

We help clients around the world resolve critical environmental and sustainability issues relating to their products, facilities, and operations.

Learn more at [bdlaw.com](http://bdlaw.com)

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