



Loren R. Dunn

Principal

ldunn@bdlaw.com

+1.206.315.4810

600 University Street, Suite 1601, Seattle, WA, 98101-3109

Loren represents regional and national companies at locations throughout the country in environmental regulation and litigation issues.

Loren's environmental projects have involved hazardous waste and large multi-party toxics cleanup sites, including marine and freshwater sediment sites, landfills, and natural resource damages claims. He has also conducted extensive work obtaining permits for key facility operations. He has particularly deep knowledge of the following industries: manufactured gas facilities, regulated utilities, smelters and metals refineries, pesticide sites, and large area contamination sites.

Before entering private practice, Loren worked for the U.S. Environmental Protection Agency headquarters office as a senior policy economist. He received an agency merit award for excellent work on the development of the Agency's hazardous waste program and its regulations.

Loren has been repeatedly recognized as one of the leading environmental lawyers in the Northwest. He is a respected leader in handling complex environmental litigation, and remediation and restoration projects under CERCLA and state "little Superfund" statutes. He helped to pioneer the successful use of technical, large-group mediation to secure more efficient resolution and cleanup of large sites impaired by hazardous substance releases. He is co-chair of the ADR process of one of the largest Superfund sites in the country located in the Pacific Northwest. He also has played a significant role in the development of Washington's environmental regulatory system.

Education

- Bowdoin College (A.B., *magna cum laude*, 1978)
 - Government
- University of Oxford (1984)
 - Postgraduate Study
- Harvard University (M.P.P.)
- Stanford University (J.D., 1987)
 - Editor, Stanford Journal of Environmental Law

Bar Admissions

- Oregon
- Washington

Court Admissions

- U.S. Court of Appeals - Ninth Circuit

Professional Affiliations

- American Bar Association

Honors & Awards

- *Super Lawyers, part of Thomson Reuters*, Washington Super Lawyer (2006-2019)
- *The Best Lawyers in America®*, a *Best Lawyers publication*, recognition in Environmental Law and Environmental Litigation (2007-2019)
- *Chambers and Partners – USA*, Band 2 in Environmental Law (2019)
- *Chambers and Partners – USA*, recognized practitioner in Environmental Law (2018)
- *Who's Who Legal, part of Law Business Research Ltd.*, recognition in Environmental Law (2018)

Representative Matters

Prior results do not guarantee future outcomes.

Loren's experience includes:

- Counseling to an international nuclear engineering and construction firm, providing advice and assistance regarding design, construction, and permitting of a proposed nuclear waste treatment facility, including clean air and waste management permits.
- Counseling to a Fortune 500 investor-owned utility, including litigation defense concerning remediation of multiple hazardous waste sites and serving a lead role in organizing, developing, and managing multi-party arbitration and follow-up mediation for dividing clean-up costs at an 80+ party urban Superfund sediment site as well as negotiating performance consent decree settlement with EPA.
- Assisting in the development and implementation of an innovative, cost-effective remedy for an aquatic sediment site, negotiating cash-out settlement with 80+ responsible parties and cost-sharing settlements with other major performing parties, pursuing ongoing cost recovery actions against recalcitrant parties, assisting in securing an orphan status

designation for chemical manufacturing site wrongfully attributed to the client and prompting the grant of public funding for the cost of the clean-up of site.

- Representing a major municipality in a variety of environmental matters, including defense and enforcement of hazardous substance cleanup actions and land use and boundary adjustment matters.
- Counseling to a major international paper company, providing advice and assistance regarding property acquisition, leasing, and due diligence advice, clean water act permitting, compliance, and enforcement actions, defense of citizen suits, hazardous waste, and asbestos compliance assistance, remediation of contaminated sediments, air emissions permitting, landfill permitting, and advice regarding potential natural resource damages claims.
- Counseling to the nation's largest producer of building and packaging materials made from polystyrene insulating foam, which has included providing assistance in negotiating air quality emissions permits and settlement of local and regional air authority enforcement actions, pursuit of cost recovery litigation involving the failure of purchased air quality control and process efficiency equipment, and defense of cleanup cost recovery and contribution actions and natural resource damages cost recovery claims at Superfund sediment mega-site.
- Counseling to an international nuclear engineering and construction firm, including advice and assistance regarding design, construction, and permitting of a proposed nuclear waste treatment facility, including clean air and waste management permits.
- Counseling to a Fortune 500 metals manufacturing company on hazardous waste compliance issues, including handling citizens' suit regarding waste disposal practices, Clean Air Act permitting, and federal litigation challenging hazardous waste disposal and recycling regulations.
- Assisting with site review, facility siting and acquisition, site remediation, and permitting of new brewery facility for national specialty beer brewer.
- Counseling to a leading cooperatively owned manufacturer of fine wooden building and construction materials, assisting with site cleanup, shoreline permitting, site development activities, and defense of federal contaminated sediment cleanup and cost recovery claims at Superfund mega-site, and serving as lead negotiator for securing consent decree for 25+ cash-out parties for major multi-party federal Superfund site as well as in responding to multi-party natural resources damages recovery claims brought by federal, state, and tribal trustees.
- Counseling to a family-held regional machine manufacturing company, providing assistance regarding hazardous waste compliance issues, stormwater discharge permitting, sale of manufacturing facilities, defense of multi-party contribution and cost recovery claims relating to on-site and maritime sediment contamination cleanup, settlement of natural resource damages liabilities, consent decree negotiations with federal regulatory agencies, and insurance recovery negotiations.

- Counseling to a small municipality in pursuing cost recovery and replacement of critical drinking water wells contaminated by releases of hazardous substances to groundwater from regional landfill.
- Counseling to one of the largest national parking service companies in defense of multi-million-dollar hazardous substance contribution claims resulting from contamination releases affecting two high-rise office towers.
- Counseling to the northwest's largest manufacturer of brick and concrete building materials.
- Representing clients on issues including clean air act permitting and defense of air quality enforcement actions, assistance with hazardous substance remediation activities and defense of related enforcement actions, and defense of litigation involving property adversely affected by hazardous substance releases.
- Assisting with environmental analysis and site cleanup for regional casting and machining plant for Fortune 500 international tool and die, casting, and machining company.
- Serving as General Counsel to one of nation's leading environmental toxicology consulting firms, providing advice on environmental contracting and regulations, and prosecuting claims involving employee termination, unfair competition, and embezzlement.
- Representing EPA remedial action construction contractor in defending claims by a property owner for contribution for costs of conducting EPA emergency removal action at pesticide-contaminated hop farm.
- Representing owner of a wood treatment facility in defense of claims by EPA for recovery of costs incurred by EPA in performing time-critical emergency removal action and negotiating advantageous site clean-up performance consent decree with EPA.
- Counseling to a major regional electric utility in preparing a defense to contribution, cost recovery, and natural resource damages claims at Superfund sediment mega-site.
- Counseling to leading northwest automotive distributor and automotive services provider.
- Assisting with hazardous waste management, clean water permitting, EPA and FAA enforcement matters, and environmental cleanup contribution litigation.
- Providing representation for a major clothing manufacturer in defending Clean Water Act enforcement action and in negotiating for the issuance of a clean water permit.
- Representing national food manufacturer in defending enforcement action for exceedances of their wastewater discharge permit.
- Serving as lead environmental counsel in defense of toxic tort class action brought by residents of a mobile home park against multiple parties responsible for past and currently operating a landfill.
- Assisting local specialty coffee roaster in resolving claims related to air emissions from nearby metals coating and spray painting operation.
- Counseling to Fortune 500 chemical manufacturing company in resolving a multi-party cost recovery litigation relating to the cleanup of historic explosives manufacturing facility.

- Representing a regional landfill owner and operator in regulatory agency negotiations for closure plan and remedial implementation.
- Counseling to nation's leading photo safari touring company in seeking to recover for damages to property due to illegal disposal of waste materials, and in responding to slanderous Internet communications from world-wide environmental organization relating to company's business practices.
- Defending multiple owners/operators of past automotive service stations in cost recovery contribution actions arising from underground storage tank releases.
- Leading environmental counsel in multiple large class actions against international metals smelters and metals manufacturing facilities.
- Representing major oil company in defense of multi-party hazardous substance cleanup contribution action involving releases from metal mining and smelting operation in British Columbia.
- Providing permitting assistance for facility siting of experimental design and testing facility for electrical generation company, including air emissions and local development permits.
- Representing numerous multi-family residential complexes in cases involving environmental hazards and contamination caused by a federal Superfund site that involved issues of trespass, nuisance, inverse condemnation, groundwater contamination, underground migration of landfill gases, and land use and landfill permitting and compliance issues and in which we successfully overturned proposed federal consent decree that inadequately protected adjacent property owners.
- Providing environmental regulatory compliance assistance to an international manufacturer of clothing and footwear.
- Defending past private landowner against \$50 million claim for costs of site remediation due to releases of petroleum contamination from a series of oil pipelines.