



Timothy M. Sullivan

Principal

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Tim's practice focuses primarily on environmental and natural resources litigation before federal and state courts and adjudicatory bodies.

He represents and advises public and private clients in regulatory, litigation, and other matters involving many federal and state environmental and natural resources laws, with a particular emphasis on Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Endangered Species Act (ESA), and the Clean Water Act. Tim is the Managing Principal of Beveridge & Diamond's Baltimore office.

- Fairfield University (B.A., 1993)
 - History
- Lewis & Clark (J.D., *magna cum laude*, 2000)
 - Certificate in Environmental and Natural Resources Law
 - Cornelius Honor Society
 - Environmental Law Review 1998-2000, Managing Editor 1999-2000

Bar Admissions

- District of Columbia
- Maryland
- Oregon
- Washington

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals - Ninth Circuit
- U.S. District Court – Colorado
- U.S. District Court - Maryland
- U.S. District Court – Oregon
- U.S. District Court – Eastern District of Washington

- U.S. District Court – Western District of Washington

Professional Affiliations

- American Bar Association Section of Environment, Energy, and Resources Endangered Species Committee, Vice-Chair (2003-2010)
- Maryland State Bar Association Environmental Law Section, Member (2006-present), Chair (2010-11), Section Council (2006-2012)
- Oregon State Bar Administrative Law Section, Executive Committee (2003-2005)
- Oregon State Bar Environmental and Natural Resources Law Section (2001-present)

Presentations

- "CWA Citizen Suits: Notice, Standing & Interpleading Third Parties," webinar (March 2018)
- "The Water Quantity-Water Quality Nexus: Two Sides of the Same Coin or Zero-Sum Game?" presented at National Association of Clean Water Agencies (NACWA) National Clean Water Law Seminar, Savannah, GA (November 2017)
- "NEPA and Other Environmental Implications for Upstream Oil and Gas Operations," presented at EUCI Oil and Gas Production on Federal Lands Conference, Denver, CO (March 2013)

Representative Matters

Prior results do not guarantee future outcomes.

Tim's recent experience includes:

- Representing through trial a Class I railroad in a Clean Water Act (CWA) citizen suit in Washington State.
- Representing a major water and sewer utility in a CWA citizen suit in Maryland.
- Negotiating a Clean Water Act Sanitary Sewer Overflow Consent Decree extension for a major water and sewer utility in Maryland.
- Counseling a major water and sewer utility with respect to CWA compliance and enforcement issues.
- Representing a petroleum exploration and production company in litigation arising from an operator's use of the company's platform on the Outer Continental Shelf of the Gulf of Mexico.
- Representing a petroleum refining company in CERCLA litigation in the Eastern District of New York.

- Representing petroleum refining company in litigation with the United States under the Pennsylvania Tank Act, Clean Streams Law, and Uniform Contribution Among Tortfeasors Act.
- Representing an equipment supplier in construction disputes involving wastewater treatment plants.
- Representing a group of ports and other navigation interests on the Columbia River in ESA citizen suit litigation challenging the federal operation of the Federal Columbia River Power System.
- Representing a Columbia River port in a complex land and water property development project challenged by a citizen's group in an area containing wetlands and ESA-listed and state-protected species, including development of National Environmental Policy Act and Washington State Environmental Policy Act analyses.
- Representing timber company in an administrative dispute with the Washington Department of Forestry involving logging in areas constituting potential habitat of ESA-protected marbled murrelet.
- Representing an Oregon county in federal permitting, enforcement, and litigation, related to the construction of a 60-mile natural gas pipeline with almost 200 CWA jurisdictional water and wetlands crossings, many of which involved habitat for ESA-listed salmonids.
- Representing an industry group in CWA and ESA citizen suit litigation challenging Oregon's water quality standards.
- Representing a mushroom producer in Oregon in enforcement action arising from wet weather discharges of stormwater.

Publications

February 19, 2019

Supreme Court to Decide Whether "Indirect" Discharges Require NPDES Permits

Beveridge & Diamond

December 5, 2018

Justices Request the Government's Views on CWA Discharge Cases

Beveridge & Diamond

September 26, 2018

"WOTUS": A Tale of Two Rules While Litigation and Rulemaking Continue

Beveridge & Diamond

September 25, 2018

Pair of Clean Water Act Decisions Creates Circuit Split over Discharges to Groundwater

Beveridge & Diamond

September 6, 2018

Petitions Seek Supreme Court Review of Fourth and Ninth Circuit Decisions That Could Expand the CWA's NPDES Program

Beveridge & Diamond

August 17, 2018

Environmental Groups Score First Victory to Expand Regulation of Stormwater Under the NPDES Program

Beveridge & Diamond

April 13, 2018

Fourth Circuit Joins Ninth In Holding That "Indirect" Discharges May Violate the CWA

Beveridge & Diamond

February 27, 2018

Discharges and Hydrologic Connection to Groundwater: EPA Seeking Comment as Courts Weigh In

Beveridge & Diamond

February 2, 2018

Ninth Circuit Holds That Indirect Discharges Require NPDES Permits

Beveridge & Diamond

January 29, 2018

First Circuit Shuts Down Use of TMDLs to Expand NPDES Stormwater Permitting

Beveridge & Diamond

January 29, 2018

DOJ Clarifies Limits on Third Party Payments in Environmental Settlements

Beveridge & Diamond

January 22, 2018

Unanimous Supreme Court: WOTUS Rule Challenges Belong in Federal District Courts

Beveridge & Diamond

June 28, 2017

Replacement of the Clean Water Rule to Be a Two-Step Process

Beveridge & Diamond

March 17, 2015

Coal and Transportation Companies Challenge Ninth Circuit Decision Limiting CWA Permit Shield Defense

Beveridge & Diamond