Stinson offers clients extensive experience with environmental, health and safety laws, the U.S. Environmental Protection Agency and other federal, state and local agencies. In fact, our attorneys have participated in the writing of a number of significant environmental laws and policies at the state level.

We put our experience to work assisting businesses of all sizes and types in navigating the complexities of permitting, in defending against federal and state enforcement proceedings and in litigating environmental claims that may arise in a wide array of contexts. Our attorneys are committed to developing a thorough understanding of our clients’ business objectives and operations, enabling us to provide practical advice that clients can implement on a day-to-day basis to ensure compliance with the environmental and regulatory requirements.

**CAPABILITIES**

Our ability to assist clients on myriad environmental issues depends on our comprehensive and nuanced understanding of the requirements and evolving nature of the applicable federal and state laws, including:

- Federal Insecticide Rodenticide Act (FIFRA)
- National Environmental Policy Act (NEPA)
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Resource Conservation and Recovery Act (RCRA)
- Emergency Planning and Community Right-to-Know Act (EPCRA)
- Clean Water Act (CWA)
- Clean Air Act (CAA)
- Federal and state public waters and wetlands laws
- Federal and state mining laws
- Occupational Safety and Health Act (OSHA)
- Endangered Species Act (ESA)
- National Historic Preservation Act (NHPA)
Environmental Counseling

- Acts and statutes in states ranging from Wisconsin and North Dakota to New Jersey and California

EXPERIENCE

Stinson clients have a variety of needs with respect to environmental, health and safety issues. Our attorneys routinely assist clients with the following issues:

Environmental, Health and Safety Enforcement Defense: Our attorneys often defend clients against environmental, health and safety enforcement actions under a variety of state and federal laws. This defense can take many forms, including client counseling for corrective actions, negotiation with the appropriate agencies to reduce or eliminate penalties, administrative challenges, and litigation.

Regulatory Permitting: When clients acquire, expand, change or sell their business operations, we guide them through the permitting process to obtain, transfer or modify the necessary regulatory permits, including permits required for wetlands, air emissions, hazardous waste, solid waste, stormwater and wastewater.

Environmental Due Diligence: Real estate and corporate transactions and development projects frequently involve environmental issues that can trap the unwary. Our attorneys identify potential environmental pitfalls, conduct environmental due diligence and provide practical solutions for negotiating a resolution of any environmental issues.

Liability for Cleanup: When clients face potential liability for the cleanup of hazardous substances or waste, we not only coordinate an effective defense against such liability but also develop and implement strategies to recover cleanup costs from responsible parties and insurers.

Water and Wetlands: We assist clients with all aspects of water and wetlands law, including ground and surface water appropriation, NPDES permits, stormwater regulation, public waters work permits, shoreland zoning, wetlands regulation and banking, public and private drainage systems, watershed regulation, and other issues. Additionally, in conjunction with our real estate department, we help clients address complex title issues concerning riparian rights and property lines within lakes and rivers.

Regulatory Compliance: We counsel our clients to ensure that their day-to-day business operations comply with federal, state and local environmental, health and safety laws, and identify potential compliance concerns before they trigger enforcement actions.

Brownfields Redevelopment: By combining a thorough understanding of environmental and technical issues with our experience in real estate and public finance, we are able to navigate all aspects of brownfield redevelopment and help clients obtain public funding for the purchase and redevelopment of brownfield sites.
Environmental Counseling

Mining and Mineral Management: Our attorneys assist members of the mining community in exploring, developing and managing a variety of mineral resources on federal, state and private lands. Our representation includes, among other things, negotiation of mineral and mining leases, protecting outstanding and reserved mineral rights, title examination, governmental and community relations, and litigation affecting mining projects.

Environmental Review: Our clients’ business objectives often involve projects that trigger federal and/or state environmental review. Our attorneys effectively coordinate such environmental review from start to finish by collaborating with a team of technical consultants, developing plans for working with agencies and communities, and defending our clients’ projects from environmental review challenges.

Health and Safety: When an OSHA inspection, a whistle-blower or an internal audit reveals one or more violations of health and safety laws, we provide counseling on corrective actions, negotiate settlements and defend our clients in any resulting enforcement action. Additionally, our attorneys provide clients with the tools to proactively identify potential health and safety issues before they come to the attention of the regulators.

Climate Change: As new laws relating to climate change continue to evolve at all levels of government, we are committed to stay informed of new developments of the law and to understanding the specific impacts of such laws on our clients’ businesses and operations. In cooperation with attorneys in our Energy, Construction, and Real Estate practices, we have worked with clients to apply for carbon credits, submit plans for carbon capture and sequestration, trade NOx and Sox allowances, develop wind energy farms and other forms of renewable energy, negotiate power purchase agreements, and lobby legislatures and state agencies with respect to climate change issues.

Administrative Proceedings and Litigation: When our clients are unable to resolve their environmental, health and safety concerns without litigation, we have the experience necessary to achieve their goals in the litigated context—whether in an administrative hearing or in court. We capitalize on our knowledge to thoroughly prepare consultants to provide authoritative testimony and to translate complex legal and technical issues into concepts that the court or agency can easily digest.

**CONTACT:** Brittany Barrientos | 816.691.2358 | brittany.barrientos@stinson.com  
**CONTACT:** Kyle E. Foote | 816.691.3391 | kyle.foote@stinson.com

**TEAM**

Brittany Barrientos  
Aimee D. Davenport  
Robert F. Devolve
Environmental Counseling

Kyle E. Foote
Andrew J. Gibbons
Micah J. Revell
Byron E. Starns
David R. Tripp

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