

Environmental



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Ulmer & Berne provides legal representation in environmental matters to a broad range of clients, including some of America's largest corporations, small and medium-sized companies, Ohio municipalities and political subdivisions, hospitals, commercial real estate owners, developers, farmers, oil and gas companies, and individuals.



Members of our environmental law practice have experience in the following federal and state regulatory programs:

- Asbestos Hazard Emergency Response Act (AHERA)
- Clean Air Act (CAA)
- Clean Water Act (CWA)
- Comprehensive Environmental Response, Compensation and Liability Acts (CERCLA)
- Emergency Planning and Community Right to Know Act (EPCRA)
- Federal Hazardous Materials Transportation Law
- Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
- Lead-Based Paint Hazard Reduction Act
- Ohio Environmental Audit Privilege
- Ohio Livestock Environmental Permitting Program
- Ohio Voluntary Action Program (VAP)
- Petroleum Underground Storage Tank Regulation/Ohio BUSTR
- Resource Conservation and Recovery Act (RCRA)
- Safe Drinking Water Act
- Toxic Substances Control Act (TSCA)

Members of our environmental law practice have represented clients before the following regulatory agencies:

- Ohio Environmental Protection Agency
- Ohio Department of Agriculture
- Ohio Department of Commerce, Bureau of Underground Storage Tank Regulation
- Ohio Department of Development
- Ohio Department of Health
- Ohio Department of Natural Resources
- Ohio Petroleum Underground Storage Tank Release Compensation Board
- US Army Corps of Engineers

Ulmer & Berne is ranked among the top firms in the categories of Environmental Law and Litigation-Environmental.



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- US Department of Transportation, Federal Aviation Administration
- US Environmental Protection Agency
- US Fish & Wildlife Service

Our environmental law practice includes compliance counseling and regulatory permitting in the following areas:

- Bottled Water
- Confined Animal Feeding Facilities/Confined Animal Feeding Operations
- Corrective Actions for Petroleum Underground Storage Tanks
- Dredge and fill permits under CWA Sections 401 and 404
- Due diligence for real estate transactions, including the All Appropriate Inquiries under CERCLA
- Due diligence for business mergers and acquisitions
- Environmental Law Compliance Audits
- Flood plain development issues
- Greenhouse Gas Reporting
- Hazardous waste generation, storage, transportation and disposal
- Industrial Pretreatment under the CWA
- New Source Review under CAA
- Oil & Gas
- Ohio Cessation of Regulated Operations (CRO)
- Ohio's Isolated Wetland Permit Program
- Registration of Pesticides and Devices under FIFRA
- Storm water regulation under the CWA
- Title V of the CAA
- Voluntary cleanup of contaminated properties under Ohio VAP and Ohio VAP MOA Tract

Our environmental law practice includes litigation before administrative bodies and state and federal courts:

- Representing entities in administrative appeals before the Environmental Review Appeals Commission involving actions by Ohio EPA, State Fire Marshall, and local health departments.
- Appearing before the Oil & Gas Commission.
- Defending criminal charges arising from alleged violations of environmental laws.



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- Defending entities against administrative and civil enforcement actions arising under Ohio and federal environmental laws.
- Advising on insurance coverage disputes arising from environmental claims.
- Pursuing "private cost recovery actions" under Ohio VAP and CERCLA on behalf of entities that undertook remediation of property contaminated by third parties.
- Defending entities in Superfund (CERCLA) litigation.

Our environmental law practice includes assisting clients obtain grant money for assessment and cleanup of contaminated real property. We counsel clients throughout the assessment and cleanup phases of the Ohio Department of Development's Clean Ohio Revitalization Fund and Clean Ohio Assessment Fund.



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