

Environmental

Polsinelli's national Environmental team assists clients with all aspects of environmental law, including environmental support for corporate, energy and real estate transactions, remediation of contaminated sites, regulatory compliance and government enforcement actions. With decades of experience, our team advises clients on environmental issues from coast to coast and can assist with understanding complicated federal, state and local regulations.

Transactional

The Polsinelli Environmental team understands the importance of getting corporate or real estate transactions across the finish line, and it is our goal to reduce and reallocate any potential risks identified during the transaction process. We are able to assist with transactions pertaining to any industry and deal structure, and can advise on environmental issues throughout the life of the transaction – including once the deal has closed.

When environmental issues present themselves during a transaction, our focus is to understand the bigger picture and work through potentially applicable regulations, permits and/or certifications to identify solutions that move the deal forward and accomplish our client's goals. Our team is also well-versed in reviewing environmental diligence materials and working with opposing parties to obtain favorable terms for our clients on buy-side and sell-side transactions.

Remediation of Contaminated Sites

When our clients are confronted with properties requiring remediation, our experience navigating federal and state cleanup programs is invaluable to ensuring the project's successful completion. By working side-by-side with our clients to complete countless remediation projects under federal programs such as CERCLA and RCRA, or state voluntary cleanup programs, we are well-equipped to develop and implement strategies to efficiently identify and remove contamination from a site and return it to productive use. Whether remediation occurs per a government consent order or voluntarily, we seek a collaborative approach with our clients and the regulators overseeing the project to secure site closure and any available liability protections resulting from completion of the cleanup.

Regulatory Compliance & Enforcement Actions

The Polsinelli Environmental team assists clients with federal and state enforcement actions, regulatory compliance and facility self-audits to ensure facilities are, and remain, in compliance with all local, state and federal regulations.

Should a facility be the subject of an Environmental Protection Agency (EPA) or state enforcement action, our team has the experience necessary to respond and work with the enforcing agency to resolve the potential issues as efficiently as possible. Our team has experience resolving notices of violations, negotiating remedies

and defending clients in proceedings before various regulating entities, including EPA, Department of Justice and state equivalents, and responding to information requests or other inquiries from government agencies.

We are also experienced with assisting facilities in managing day-to-day environmental operations of any type of business, including those in the automotive, steel, rubber, semiconductor, construction, mining and health care industries. When our clients are interested in expanding or developing a site, we counsel on applicable permits and assist with navigating the regulations necessary to get the project completed.

Lastly, we regularly monitor and opine on current and emerging rulemakings across the United States to advise clients on how to best operate their respective facilities within those regulations. Should a question arise about an upcoming or recently finalized rule, our team is able to assist in understanding that regulations' applicability and providing guidance as to how compliance can be obtained in light of the client's specific operations.

We regularly advise federal, state and local regulations, including:

- Clean Air Act (CAA)
- Clean Water Act (CWA)
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Emergency Planning and Right to Know Act (EPCRA)
- Endangered Species Act (ESA)
- National Environmental Policy Act (NEPA)
- Resource Conservation and Recovery Act (RCRA)
- Toxic Substances Control Act (TSCA)

Matters

Transactional

- Represented a London-based international investment manager in its acquisition of a wind project in Texas and a solar project in Wisconsin, including a full-scale diligence review of all permits required for the construction, operation and maintenance of the projects and all environmental conditions covering threatened and endangered species, historic preservation, Clean Water Act compliance, state and local road use approvals, county planning and zoning approvals and Federal Aviation Administration permits.
- Represented an investment management firm in its acquisition of a combined heat and natural gas electric generation plant in Illinois, overseeing an intensive diligence effort which included review of all applicable air, waste and water permits held by the facility, coordination with third-party environmental consultants, analysis of regulations mandating reduction of greenhouses gases and negotiation of acquisition documents with the seller.
- Represent a privately held company with respect to obtaining air permits for a 1090 megawatt natural gas power plant in Illinois.

Remediation

- Represented a leading oil and gas company that owns and operates several refineries, in connection with the environmental clean-up of groundwater contamination of former refinery operations in Kansas.
- Represented a real estate investment manager in reviewing all environmental diligence of a remediated site and negotiated development agreements to ensure environmental liability for future single and multifamily housing contamination was properly allocated amongst the parties.
- Represented a commercial real estate development firm in the purchase, remediation and development of a logistics center on the site of a former automotive manufacturer in Wisconsin.

- Represent an American telecommunications company in the negotiation, consultation and implementation of remediation plans for the cleanup former manufactured gas plants brought by the EPA and the State of Nebraska.

Regulatory Compliance & Enforcement Actions

- Represented a privately held company with respect to obtaining a major source air construction permit for a 1090-megawatt natural gas power plant in Illinois.
- Represent an American telecommunications company in negotiations with the DOJ and EPA in negotiating a Consent Decree and associated statement of work related to environmental liability for past operation of a gas manufacturing site in Nebraska.
- Represented a stainless steel surgical components manufacturer in relation to an EPA action brought against the company under the Clean Water Act and hazardous waste program.
- Represent a cargo-handling servicing company in matters related to certain mobile vehicles that were identified by the California Air Resources Board (CARB) with engines that were not properly certified under the Mobile Source Program under the Clean Air Act and corresponding California regulations.
- Represented a Dutch food and biochemicals company with operations in Kansas City in relation to an EPA enforcement actions for violations of hazardous waste handling worked to implement changes and improvements to operations to mitigate the risk of future non-compliance.

Publications

May 7, 2026

Extended Producer Responsibility Laws Expand Across States; Key Compliance Deadlines Approaching

September 12, 2025

PFAS Risk in the Development Lifecycle

September 11, 2025

Polsinelli Life Sciences Spotlight - Volume 2 - Adapting by Design: Navigating Complex Times in Life Sciences

August 25, 2025

Florida's SB 492 and the Future of Wetland Development

January 8, 2025

The Enviro Policies Real Estate Attys Are Eyeing In 2025

Quoted, Law360

January 7, 2025

Colorado Advances Wetlands Rules that will Impact Development

Co-Author, Mile High CRE

December 18, 2024

Filling the Void: Colorado Advances Wetlands Rules That Will Have Major Impacts on Development

October 22, 2024

DOJ Indictment Signals Increasing Scrutiny of Carbon Credits

March 5, 2024

Colorado Introduces Bill to Promote and Expand Carbon Dioxide Capture and Sequestration

November 6, 2023

October PFAS Regulatory Update

August 31, 2023

Sackett v. EPA Aftermath: EPA's New WOTUS Rule has Unforeseen Impacts in 27 States Challenging Previous Biden Rule

May 30, 2023

Wetlands Redefined: Supreme Court Narrows Scope of Clean Water Act in Landmark Decision