



Environmental & Natural Resources Litigation

Key Contacts



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Accolades

"With its national coverage and depth of expertise, the firm's bet-the-company labor and employment litigation practice is very well known."

Legal 500 US

Overview

O'Melveny leverages decades of experience and innovative approaches to help clients navigate environmental and natural-resource regulations and protect their interests in enforcement actions, claims by third parties, NGOs, and groups with standing under "citizen suit" provisions.

With extensive backgrounds in engineering, science and government, our attorneys provide insightful counsel on regulatory obligations and rigorous defense in both judicial and administrative actions. We defend citizen suits, private cost-recovery suits, toxic tort suits, and agency enforcement actions involving a variety of federal and state agencies and prosecutors. Our experience includes defense of private cost recovery actions, joint representation of hundreds of parties in federal and state superfund proceedings, and defense of actions resulting from fires and major spill events—with appeals that have gone all the way to the US Supreme Court.

Our diligence and documentation work on environmental, safety, and health aspects of transactions and financings includes regulation of greenhouse gases and enforcement regimes in the EU, South America, and Asia (as supported by our international offices).

In criminal cases, we counsel clients on claims under hazardous waste laws, the US Clean Air Act, and the US Clean Water Act, among others. We won acquittal in the largest-ever federal criminal prosecution of alleged violations of the Clean Air Act, achieved successful settlements with the US Environmental Protection Agency through voluntary disclosures, and convinced the US Department of Justice to close criminal inquiries without bringing charges.

► **Broad Capabilities**

Our team has an established track record of success in:

- Advocating groundbreaking strategies that dramatically reduce our clients' exposure to punitive damages awards, such as our pioneering work in the Exxon Valdez litigation, where a "limited fund class action" reduced the scope of punitive damages
- Coordinating and managing large-scale proceedings, including those involving claims for natural resource damages
- Handling development projects around the globe, including projects requiring pre-development environmental assessments
- Negotiating with, and participating in public hearings before, federal and state environmental agencies, such as the US Environmental Protection Agency, the US Bureau of Reclamation, the Army Corps of Engineers, Cal-EPA's Department of Toxic Substances Control, the Department of Health Services, the Air Resources Board and the various local air districts, the State Water Resources Control Board and its various Regional Boards, the California Energy Commission, and the California Coastal Commission, and other states' counterpart agencies.

Clients

Related Industries

- Energy, Natural Resources & Utilities
- Industrials & Manufacturing
- Real Estate & Homebuilding
- Transportation
- Water

Related Practices

- Business & Commercial Litigation
- Environmental
- Litigation
- Trial Litigation