



GIBSON DUNN

2022 Federal and California
Environmental Update

February 9, 2022

MCLE Certificate Information

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- Please direct all questions regarding MCLE to CLE@gibsondunn.com.

Today's Panelists



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Today's Discussion

- 1 Federal Regulatory Update
- 2 California Regulatory Update
- 3 Federal Enforcement Update
- 4 Environment, Social, and Governance (ESG) Update

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***Federal Regulatory
Update***

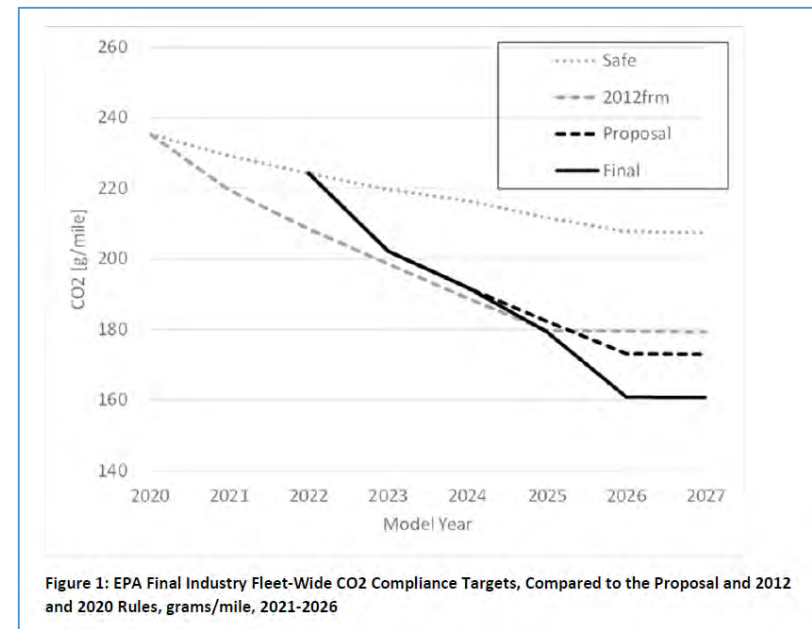
Recently Finalized Actions

- **Greenhouse Gas Emissions Standards for Light Duty Cars and Trucks (Dec. 30, 2021)**

- Revises standards for MY2023-26.
- Final standards more stringent than proposed standards.
- Final rule based on optimistic projections of technology penetration by MY2026:
 - Mild hybrid = 5%
 - Strong hybrid = 7%
 - Battery electric + plug in hybrids = 17%

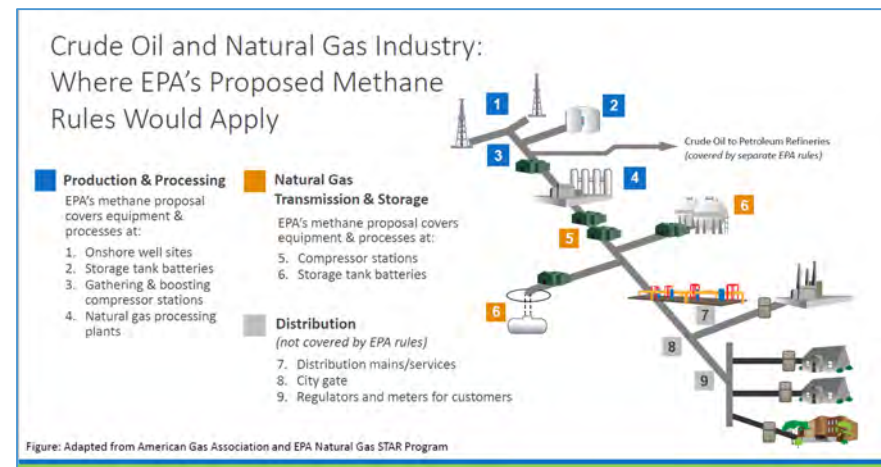
- **Other actions finalized in 2021:**

- Phasedown of HFCs; allowance allocation and trading program.
- Revised CSAPR Update for NOx from power plants in 12 states.



Recently Proposed Actions: Stationary Sources

- **New Source Performance Standards and Emissions Guidelines for Existing Sources from the oil and gas sector (proposed Nov. 15, 2021)**
 - Key components of proposal include: comprehensive monitoring requirements for fugitive emissions; prohibit methane and VOC emissions from pneumatic controllers; prohibit venting of gas from oil wells by requiring routing to a sales line or a control device or flare; require tank batteries to reduce VOC and methane emissions; more stringent LDAR requirements; new requirements for emissions from liquids unloading.
 - Proposal includes no proposed regulatory text.
 - EPA will issue supplemental notice in 2022 with additional comment period.
 - Final rule expected in 2023.



Recently Proposed Actions: Mobile Sources

- **Renewable Fuel Standard Program Actions**

- Proposed Volume Standards for 2020, 2021, and 2022 (proposed Dec. 21, 2021).
- Proposed denial of all pending RFS Small Refinery Exemptions (proposed Dec. 14, 2021).
- Reconsideration of 2018 Small Refinery Exemptions.
- Extension of RFS compliance deadlines for 2019-22 (finalized Feb. 2, 2022).
- “Set Rule” NPRM expected May 2022.

- **NOx Standards for Heavy Duty Trucks**

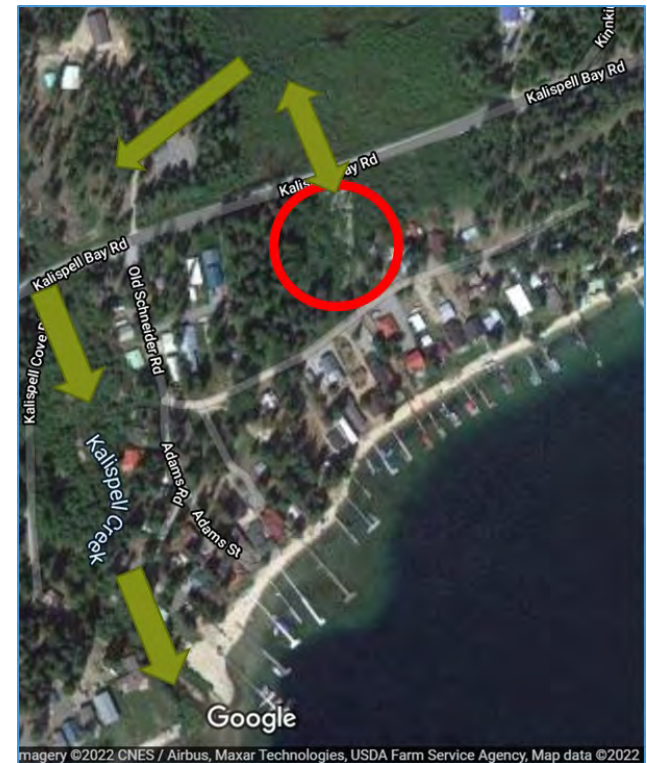
- Proposal submitted to OIRA Dec. 7, 2021.
- Final rule expected Dec. 2022, but Agency is behind schedule.

Proposed Volume Requirements for 2020-2022 (billion gallons)*

	2020	2021	2022
Cellulosic Biofuel	0.51	0.62	0.77
Biomass-Based Diesel	2.43**	2.43**	2.76
Advanced Biofuel	4.63	5.20	5.77
Total Renewable Fuel	17.13	18.52	20.77
Supplemental Standard	n/a	n/a	0.25

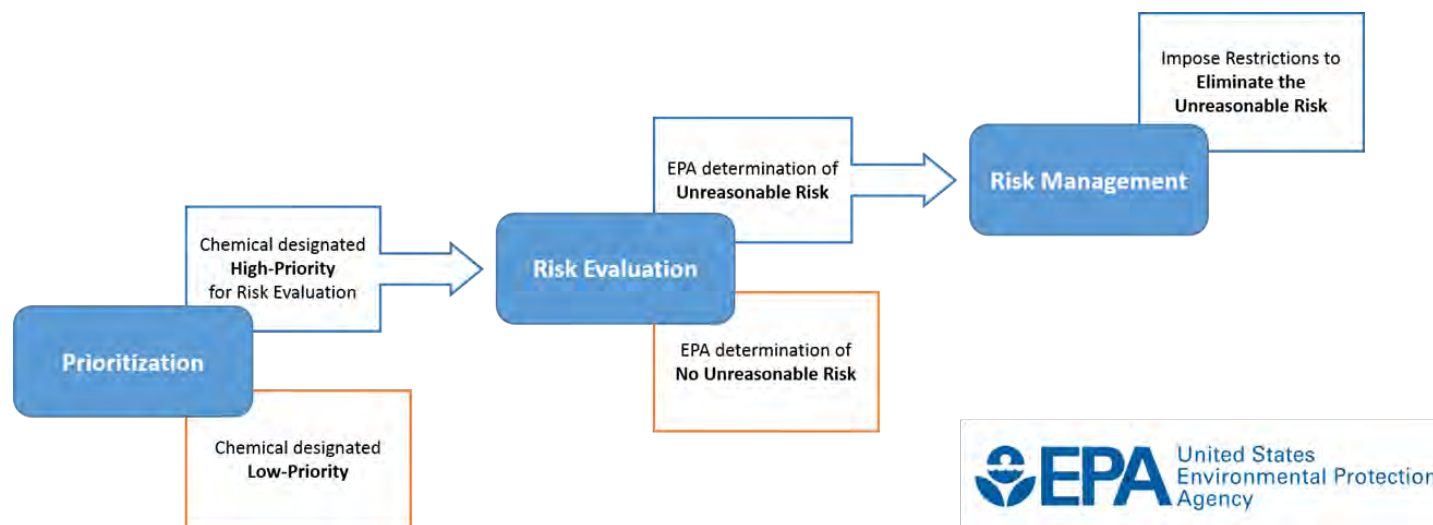
Recently Proposed Actions: Water

- **Defining “Waters of the United States”**
 - 2015: Agencies issue new definition expanding scope of federal jurisdiction; Sixth Circuit stays rule.
 - 2019: Agencies repeal 2015 Rule and restore pre-2015 definition on interim basis.
 - 2020: Agencies issue Navigable Waters Protection Rule narrowing federal jurisdiction over wetlands to only those with a “continuous source connection” to navigable waters.
 - 2021: Agencies accept vacatur of 2020 Rule; revert to implementing pre-2015 definition.
 - 2021: “Step 1” proposal repealing 2020 Rule and codifying pre-2015 definition with modifications.
 - 2022: Supreme court grants cert in *Sackett v. EPA*.



Proposals Expected in 2022: Chemicals

- Listing PFOA and PFOS as CERCLA hazardous substances
 - Proposal submitted to OIRA for review on Jan. 10, 2022.
- TSCA risk evaluations and risk management rules
 - In Fall 2021 Regulatory Agenda, EPA set 2022 deadlines to propose risk management rules under TSCA section 6(a) for Trichloroethylene, Chrysotile Asbestos, Carbon Tetrachloride, 1-Bromopropane, and HBCD.



Other Expected Proposals and Longer-Term Actions

- **Interstate Transport SIP for 2015 Ozone NAAQS**
 - Proposal submitted to OIRA Jan. 25, 2022; NPRM anticipated Mar. 2022.
- **New Clean Air Act section 111(d) Rule for GHG emissions from power plants**
 - Reg Agenda lists NPRM anticipated July 2022
 - Timing and contents subject to Supreme Court's decision in *West Virginia v. EPA*.
- **Reconsideration of NAAQS 2020 review of particulate matter standard**
 - NPRM anticipated Aug. 2022.
- **Revised Clean Water Act section 401 water quality certification rule**
 - NPRM anticipated Mar. 2022.
- **RCRA rule on Coal Combustion Residuals at Legacy Impoundments**
 - NPRM anticipated Sept. 2022.

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***California Regulatory
Update***

Plastic Waste: Plastics Free California Initiative

- If passed, the Plastics Free California initiative would require producers to pay a **fee up to \$0.01 on each item of single-use plastic packaging and foodware** destined for final sale in California.
- The fee **may not be passed onto consumers** as a separate item on a receipt or invoice.
- The New **CalRecycle regulations** would:
 - require use of recycled content and renewable materials in single-use plastics;
 - require single-use plastics to be recyclable, reusable, refillable, or compostable by 2030;
 - reduce single-use plastics sold in California by at least 25% by 2030; and
 - require convenient consumer access, including take-back programs and deposits.



California Plastic Waste Reduction Regulations Initiative


CALIFORNIA REPUBLIC

Election date
November 8, 2022

Topic
Business regulation

Status
Qualified for the ballot

Type **Origin**
State statute Citizens

[https://ballotpedia.org/California_Plastic_Waste_Reduction_Regulations_Initiative_\(2022\)](https://ballotpedia.org/California_Plastic_Waste_Reduction_Regulations_Initiative_(2022))

Food Waste: State Organics Law (SB 1383)

Commercial Edible Food Generators

Tier 1

January 1, 2022

Tier one businesses typically have more produce, fresh grocery, and shelf-stable foods to donate.



Tier 2

January 1, 2024

Tier two businesses typically have more prepared foods to donate, which often require more careful handling to meet food safety requirements (e.g. time and temperature controls).



Chemicals: Per- and Polyfluoroalkyl Substances (PFAS)

- Several recent developments relate to the regulation of PFAS chemicals in various applications:
 - Food packaging
 - Cookware
 - “Juvenile products”
 - Firefighting foam
 - Water quality
 - Carpets and rugs



Chemicals: Per- and Polyfluoroalkyl Substances (PFAS)

- New product warnings: OEHHA considered the addition of several PFAS chemicals to California's Proposition 65 list.
 - OEHHA published a [notice of intent to list PFOA as a carcinogen](#).
 - OEHHA [listed PFOS and its salts as carcinogens](#), with warning requirements taking effect on December 24, 2022.
 - OEHHA [listed PFNA and its salts as male reproductive toxicants](#), with warning requirements taking effect on December 31, 2022.
 - OEHHA [declined to list PFDA](#).
 - PFOS and PFOA were [previously added](#) as reproductive toxicants.

**NOTICE TO INTERESTED PARTIES
DECEMBER 24, 2021**

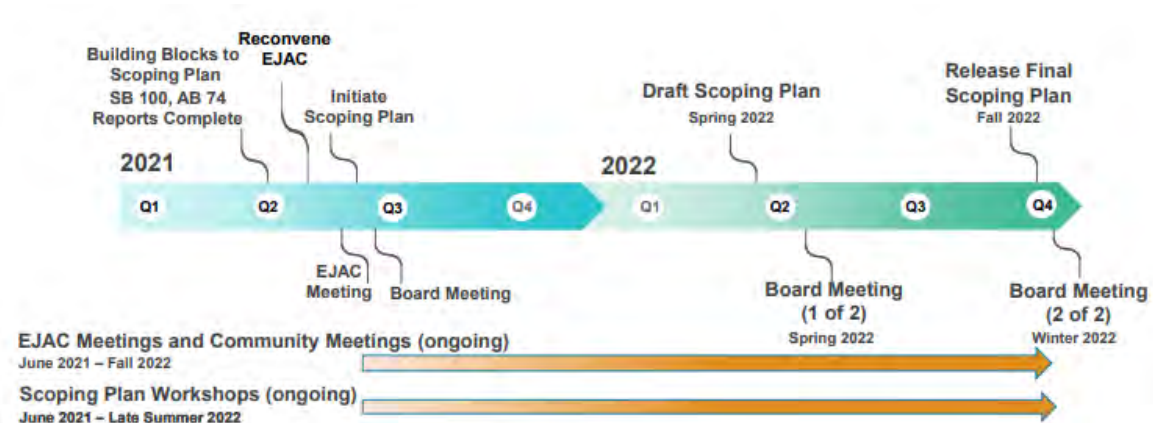
**CHEMICALS LISTED EFFECTIVE DECEMBER 24, 2021
AS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER:
PERFLUOROOCTANE SULFONIC ACID (PFOS) AND ITS SALTS AND
TRANSFORMATION AND DEGRADATION PRECURSORS**

**NOTICE TO INTERESTED PARTIES
DECEMBER 31, 2021**

**CHEMICALS LISTED EFFECTIVE DECEMBER 31, 2021
AS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE REPRODUCTIVE
TOXICITY: PERFLUORONONANOIC ACID (PFNA) AND ITS SALTS**

Greenhouse Gases: AB 32 Updated Scoping Plan

- As the lead agency under AB 32, CARB developed a Scoping Plan describing the approach California will take to reduce GHGs to **achieve the goal of reducing emissions to 1990 levels by 2020, and to achieve carbon neutrality by 2045.**
- The Scoping Plan was first approved by the Board in 2008. Updated Scoping Plans have been published in 2013 and 2017. A draft of the updated Scoping Plan is scheduled to be published in **Spring 2022** and a Final Scoping Plan in **Fall 2022.**



https://ww2.arb.ca.gov/sites/default/files/2021-09/carb_presentation_sp_scenarioinputs_september2021.pdf

Greenhouse Gases: AB 32 Updated Scoping Plan

- Scoping Plan scenarios modeled in the September 30, 2021 Technical Workshop:
 - **Oil & Gas:** Scenarios include complete **phaseout or reduction in oil and gas extraction and petroleum refining**.
 - **Manufacturing:** Scenarios include **increased electrification** of boilers, heat processes, and other energy demands, **increased use of hydrogen** for heat processes, **adoption of carbon capture and storage (CCS)**, and a **phaseout of stone, clay, glass, and cement production**.
 - **Transportation:** Scenarios include a **phaseout of sales for non-zero emission passenger vehicles**, **increased demand for aviation fuel met by electrification or hydrogen**, and a **phaseout of petroleum fuels or adoption of CCS for large facilities**.
 - **Electricity:** Scenarios include **increased renewable and zero-carbon generation resources**.
 - **Residential and commercial buildings:** Scenarios include **increased electric appliance sales**, and **retrofitted buildings to include electric appliances**.

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***Federal Enforcement
Update***

Federal Compliance and Enforcement Priorities

EPA's **National Compliance Initiatives (NCIs)** for 2020 to 2023 shed light on EPA's **enforcement priorities**:

Air	Hazardous Chemicals	Water
Reducing excess emissions	Reducing hazardous air emissions	Reducing NPDES non-compliance
Stopping aftermarket defeat devices	Reducing risks of accidental releases	Reducing drinking-water standard non-compliance

In FY2021, EPA concluded **more national priority cases** than in any of the prior 10 years.

*“While compliance assistance will be a component of these NCIs, **formal enforcement will remain an important tool** to address serious noncompliance and create general deterrence.”*

Environmental Justice in Enforcement

- The Biden Administration has continued to **emphasize environmental justice**, including with regard to enforcement.
- In 2021, EPA OECA issued four memoranda setting forth strategies “to **enhance consideration of environmental justice in enforcement**,” including community engagement, increased inspections and oversight, and supporting to victims of environmental crimes.

*“President Biden is committed to **securing environmental justice** and spurring economic opportunity for disadvantaged communities that have been historically marginalized and overburdened by pollution”*

*Administrator Regan has directed EPA to “**strengthen enforcement of violations of cornerstone environmental statutes and civil rights laws in communities overburdened by pollution.**”*

Implications:

- Higher likelihood of becoming an enforcement target if site or source is EJ-relevant.
- Faster pace for enforcement actions, particularly affecting EJ Communities.
- Accelerated timelines for injunctive relief negotiated as part of any settlement.
- Higher penalties.

Climate Change in Enforcement

- Addressing and reducing the **impacts of climate change** is another key priority of the Biden Administration.
- Climate change—and the GHG emissions that contribute to climate change—is **typically the subject of regulation**, not enforcement.
- However, EPA issued a rule in September 2021 limiting the production and use of HFCs, which may contribute to climate change. As part of this effort, **OECA and OAR launched an HFC taskforce** to prevent the illegal trade, production, use or sale of HFCs.



Impact of COVID-19 Pandemic on Enforcement

- EPA’s enforcement efforts may have been somewhat **constrained by pandemic**—e.g., remote-work requirements, limitations on ability to conduct in-person inspections.
- However, the **pandemic** has clearly **informed EPA’s enforcement priorities**:

*“As FY 2021 began, EPA continued to take enforcement actions to **protect consumers from products making unsubstantiated claims to kill the coronavirus.***

- *EPA issued **617 civil enforcement actions**, including: stop sale, use or removal orders, notices of refusals of admission for imports, and administrative or judicial cases.*
- *[EPA] also opened approximately **9 criminal enforcement cases**, and provided compliance information to businesses, consumers, and federal agencies.”*



EPA's FY2021 Enforcement Results

- Issuance of 2 **CAA emergency orders** and the reduction of over 15.7 pounds of methane and 6.7 million pounds of VOCs and HAPs.
- Resolution of **40 civil enforcement cases** for **tampering** and **aftermarket defeat devices**.
- Conclusion of 32 formal enforcement cases and issuance of 20 additional enforcement actions (e.g., NOVs and referrals) for **hazardous air emissions** from hazardous waste facilities.
- Issuance of **47 SDWA orders** to public water systems in EJ Communities.
- Issuance of 2 RCRA emergency orders to facilities **handling and storing hazardous materials**.
- Resolution of violations of **RRP rule** in nationwide settlement with Home Depot.
- Finalization of agreements to clean up **lead contamination at Superfund sites** adjacent to EJ Communities.

2022 Enforcement Predictions

- **AIR:** Continued focus on motor vehicle tampering and manufacturers, installers, and sellers of aftermarket defeat devices.
 - In FY2021, EPA resolved more aftermarket defeat device and tampering cases than in any other year in the agency’s history, a trend likely to continue into 2022.
- **HAZARDOUS CHEMICALS:** Anticipated enforcement concerning emerging contaminants, with particular focus on PFAS/PFOA.
- **WATER:** More stringent approach to handling of coal ash disposal sites, particularly in communities “already disproportionately impacted by high levels of pollution” from improper coal ash disposal.
- **CLIMATE:** Review of compliance with, and enforcement of, federal GHG reporting requirements and emission standards, including existing and new state standards (California and Section 177).

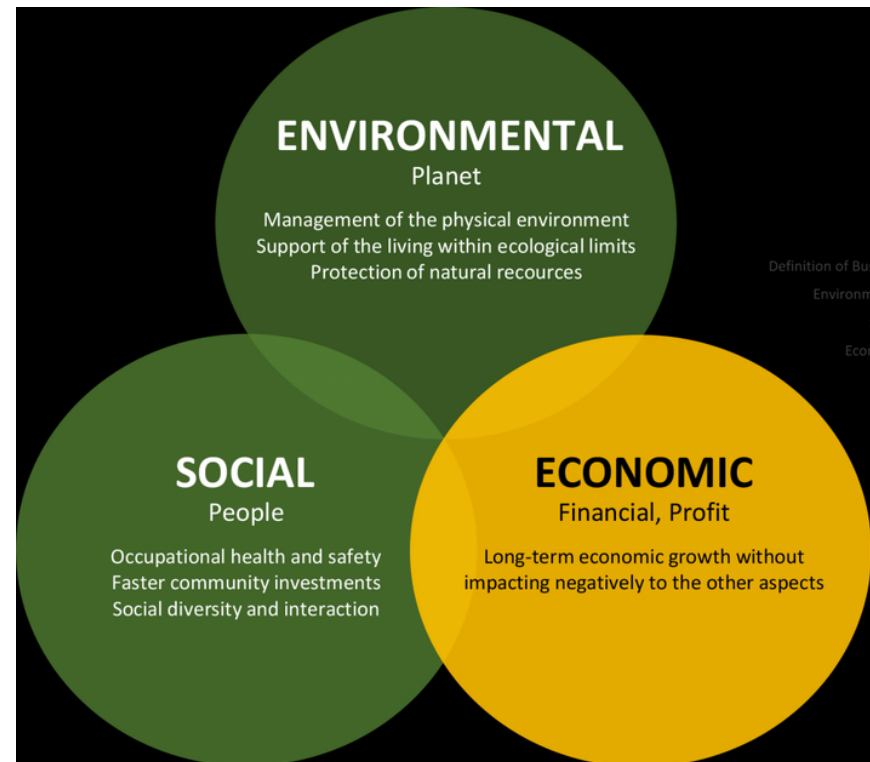
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***ESG: Views and Lessons
from the Outside***

ESG and Sustainability: Most Have Started the “Journey”

Driven by investors and shareholders, most public and larger companies have **embraced ESG** to a certain extent:

- Sustainability reports
- Tracking and disclosing material key performance indicators
- Adopting third-party disclosure standards
- Setting emission, waste, water, or diversity targets
- Supply-chain monitoring and tracking
- Governance initiatives to internalize ESG concerns in decision-making



ESG Regulations Are Coming; Enforcement Will Follow

- SEC has proposed developing a number of **ESG-related disclosure rules**, including:
 - Climate change: enhanced disclosures on climate-related risks and opportunities.
 - Mandatory ESG-related disclosures are expected soon.
 - Board diversity: disclosure about the diversity of board members and nominees.
 - Human capital management: additional disclosure on how companies manage their workforce.
- No **SEC ESG enforcement activity** in 2021, but the Enforcement Division reportedly is conducting investigations in the ESG space:
 - Deutsche Bank investigation into alleged misstatements of sustainable investment criteria.
 - Letters requesting corporate information on disclosure of climate risks.
- **Future areas of emphasis**: Climate disclosures; allegations of greenwashing in fund or company disclosures; and, FTC greenwashing investigations.



ESG Litigation Is Already Here

- **Climate litigation:** tort, shareholder litigation, and Congressional investigations against oil companies.
- **Plastics litigation:** claims that general statements of environmental commitments are undermined by use of single use plastics (*Swartz v. Coca-Cola*; *Sierra Club v. Coca-Cola*; *Earth Island*).
- **Recycling litigation:** marketing of products as recyclable when a market does not exist under the “Green Guides” (Terracycle cases, Keurig litigation).
- **Sourcing/social commitment litigation:**
 - False advertising in use of ethically sourced materials (*Myers v. Starbucks*), or violations of human trafficking/child commitments under the Alien Tort Statute (ATS) and the Trafficking Victims Protection Act (TVPRA).
 - Example: *Corporate Accountability Lab v. The Hershey Company* (D.C. Super Ct.) – Hershey misled consumers through its partnership with Rainforest Alliance by claiming its products are “responsibly sourced.”

Best Practices in ESG Statements & Disclosures

- **Climate disclosures and targets must be clear, defensible, and achievable.**
 - It is not enough to say “net-zero by 2050” and not progress toward goal until 2049.
 - Companies should clarify what emissions are included in the commitment (Scope 1 & 2 only, or also Scope 3?), and whether technological advancements are required.
 - Purchased offsets provide the easiest manner to reduce emissions (reducing purchased electricity using emissions credits from wind, solar, forestry projects).
 - Companies should ensure purchased credits are verified by reputable verification companies or purchased in recognized renewable power trading markets, like the Western Renewable Energy Generation Information System.
- **Commitments to use less water or protect aquifers need to be verifiable, and subject to replication over time.**
- **Commitments to “exceed” regulatory requirements must be revised as regulations change.**
- **Companies need to carefully scrutinize commitments to achieve “zero” waste, and clarify all assumptions.**

Employment, Customer Data, and Supply Chain

- **Human Capital:** Diversity disclosures are fast becoming standard practice; goals should be benchmarked and compared to competitors.
- **Customer Relations and Data:** Customer privacy and data security require protection of data and disclosure of significant breach events. Conduct regular greenwashing reviews to ensure statements of recyclability or sustainability are defensible.
- **Materials, Supply Chain, and Product Lifecycle**
 - Implement questionnaires and diligence to ensure that suppliers also incorporate ESG goals and approach match Company commitments, including compliance.
 - Palm oil/cocoa certifications, clothing manufacturing, sourcing from Xinjiang, emissions roll-up for Scope 3 reporting, trafficking/child labor protections.
 - Statements concerning product lifecycle (hazardous materials, waste, packaging impact, product safety) should avoid promising “zero impact” or other unsupported commitments (*i.e.*, Company “is a guardian of sustainable resources” or is as “sustainable as possible”).

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Questions?

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Presenters

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David Fotouhi is a partner in the Washington, D.C. office. He practices in the firm's Litigation Department and is a member of the firm's Environmental Litigation and Mass Tort practice group. Mr. Fotouhi joined the firm after nearly four years at the U.S. Environmental Protection Agency (EPA), where he served as Acting General Counsel, Principal Deputy General Counsel, and Deputy General Counsel.

Mr. Fotouhi combines his expertise in administrative and environmental law with his litigation experience and a deep understanding of EPA's inner workings to represent the firm's clients in enforcement actions, regulatory challenges, and other environmental litigation. He has provided legal counsel and managed defensive litigation under the Administrative Procedure Act (APA) and every major environmental statute, including the Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Emergency Planning and Community Right-to-Know Act (EPCRA), Oil Pollution Act (OPA), Toxic Substances Control Act (TSCA), Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and Endangered Species Act (ESA).

At EPA, Mr. Fotouhi led an office of 245 attorneys and staff. He played a critical role in developing the litigation strategy to defend the Agency's actions from judicial challenge, including leading successful efforts to defend EPA's Risk Evaluation Rule under TSCA, EPA's decision not to impose Superfund financial assurance requirements on the hardrock mining industry, EPA's rule postponing compliance dates for the 2015 Effluent Limitations Guidelines for steam electric power plants under the Clean Water Act, EPA's 2017 Annual Volumetric Rule under the Clean Air Act's Renewable Fuels Program, and EPA's registration decisions under FIFRA for certain pesticides. He also led the EPA team that defended the repeal of the Clean Power Plan (CPP) and promulgation of the Affordable Clean Energy (ACE) Rule to replace the CPP. In each of these matters, Mr. Fotouhi worked directly with DOJ's Environment and Natural Resources Division.

Before joining EPA, Mr. Fotouhi practiced in the firm's Environmental Litigation and Mass Tort practice group. In that role, Mr. Fotouhi was a member of litigation teams on a broad range of environmental matters, including CERCLA cost recovery actions, Clean Air Act enforcement cases, and environmental mass tort litigation in state and federal courts. In addition, Mr. Fotouhi represented clients as part of internal investigations, agency adjudications, and petitions for review of final agency actions.

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Abbey Hudson is a partner in Gibson Dunn's Los Angeles office. Her practice focuses on environmental matters and complex trial litigation. She devotes a significant portion of her time to helping clients navigate environmental and emerging regulations and related governmental investigations.

Ms. Hudson has handled all aspects of environmental and mass tort litigation and regulatory compliance. She has provided counseling and advice on environmental and regulatory compliance to clients on a wide range of issues, including supply chain transparency requirements, comments on pending regulatory developments, and enforcement counseling. She has experience handling California environmental matters that involve the California Air Resources Board, the South Coast Air Quality Management District, the California Geologic Energy Management Division, and the Regional Water Quality Control Board – Los Angeles Region.

Some of Ms. Hudson's most recent non-confidential matters include:

- *Tellez v. Dole Food Co.*: securing dismissal with prejudice of U.S.-filed toxic tort claims alleging that DBCP caused reproductive harm.
- *Manspeaker v. Intel*, *Meyers v. Intel*, *Rodriguez v. Intel*: multi-jurisdictional transgenerational tort disputes.
- *Hollingsworth v. Perry*: the federal constitutional challenge to California's ban on same-sex marriage, Proposition 8.

Ms. Hudson served on the firm's associates committee, and currently services on the firm's community affairs and diversity committees. Additionally, Ms. Hudson helped launch and helps run the firm's LGBT Women's initiative. In 2017, Ms. Hudson was named one of the 40 Best LGBT Lawyers Under 40 by the National LGBT Bar Association. Ms. Hudson also has an active pro bono practice.

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Rachel Levick Corley is a partner in the Washington, D.C. office. She practices in the firm's Litigation Department and is a member of the Environmental Litigation and Mass Tort Practice Group. Ms. Corley has represented clients in a wide range of federal and state litigation, as well as agency enforcement actions, cost recovery cases, and administrative rulemaking challenges.

Representative engagements include:

- Represented Daimler AG and Mercedes-Benz USA, LLC in investigation and civil enforcement action regarding compliance with Clean Air Act requirements governing emissions controls and in related settlement of civil claims with the U.S. Department of Justice, the U.S. Environmental Protection Agency, the California Attorney General, the California Air Resources Board, and U.S. Customs and Border Protection. *United States v. Daimler AG*, No. 20-2564 (D.D.C.).
- Represented a coalition of major automotive manufacturers as intervenors in several consolidated challenges to NHTSA's September 2019 rulemaking finding that state greenhouse gas emissions regulations are preempted by federal law, and to EPA's parallel rulemaking revoking California's Clean Air Act preemption waiver. *Union of Concerned Scientists v. NHTSA*, No. 19-1230 (D.C. Cir.); *California v. Chao*, No. 19-2826 (D.D.C.).
- Successfully represented the Association of Global Automakers as intervenors in obtaining dismissal by the D.C. Circuit of consolidated challenges to the EPA's withdrawal of a prior agency determination regarding light-duty vehicle greenhouse gas emission standards. *California v. EPA*, 940 F.3d 1342 (D.C. Cir. 2019).

Ms. Corley was an associate at Gibson Dunn from 2013 to 2014. From 2014 to 2016, she served as a law clerk to the Honorable Amy Berman Jackson of the United States District Court for the District of Columbia. She rejoined the firm in 2016.

Ms. Corley received her law degree *cum laude* from the University of Pennsylvania Law School in 2013, where she was a recipient of the Levy Scholarship. During law school, she served as a Senior Editor of the *University of Pennsylvania Law Review* and as a Louderback Legal Writing Instructor. Ms. Corley earned her Bachelor of Arts degree *summa cum laude* from the University of Pennsylvania in 2010.

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Michael Murphy is a partner in Gibson, Dunn & Crutcher's Washington, D.C. office. He is a leader of the firm's Environmental, Social and Governance (ESG) practice area, and is a member of the firm's Environmental Litigation and Mass Tort and Administrative Law and Regulatory Practice Groups. Mr. Murphy counsels clients on environmental and ESG issues related to corporate transactions and compliance. He also represents clients in a wide variety of investigation and litigation matters.

Mr. Murphy advises clients in a variety of corporate, private equity, finance and real estate transactions. He is experienced in identifying environmental risks and negotiating transactional documents for buyers, sellers and investors of manufacturing, service, technology, aerospace, petroleum, energy, and financial industry clients. His litigation experience enables him to approach each environmental transactional issue with a broad perspective that takes into account all of his clients' concerns. He advises clients on ESG and sustainability matters, including corporate disclosures, policies, reporting and integration issues. He also helps clients manage large remediation projects, including negotiating final remedies with state and federal regulators.

Mr. Murphy defends clients in state and federal environmental enforcement and civil actions involving air, water and waste allegations. He also represents clients in toxic tort mass and class actions, and has experience working with a variety of leading environmental consultants and experts on technical issues regarding groundwater, sediment transport, and air dispersion modeling.

In addition, Mr. Murphy represents clients in administrative litigation, rulemaking proceedings, and permit actions to obtain government approval for infrastructure projects, including airport, highway, and railroad projects, and other regulated actions. These representations involve a number of state and federal environmental statutes, including the National Environmental Policy Act, as well as state counterparts such as CEQA and NY SEQRA, the Endangered Species Act, Federal Insecticide, Fungicide, and Rodenticide Act, Toxic Substances and Control Act, and Federal Land Policy and Management Act. He also has experience in a variety of government contract matters.

Additional Resources

Recorded Webcasts *(Available for CLE Credit)*

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