

Sustainability and Environmental Services

The Scope of Our Practice

Modern business and manufacturing involves myriad complex processes and methods that frequently include, employ, and produce a variety of environmentally sensitive or hazardous materials - and, their use and disposal present unique legal, regulatory and financial challenges that require knowledgeable, experienced, insightful advice and counsel.

Schnader's Sustainability and Environmental Services Practice Group has considerable experience assisting clients in each phase of the generation, waste recycling, reuse and disposal process. We offer a cross-practice, interdisciplinary group of attorneys that are as conscious and responsive to environmental considerations as they are to the client's business and legal considerations. Drawing from all seven of Schnader's offices, we serve clients engaged in a large variety of enterprises, including service providers in the solid, medical, and hazardous waste industries, recycling and scrap industries, battery recycling, beneficial reuse management companies, and alternative energy developers and service providers and vendors, among others. Our attorneys also work closely with the financial institutions, engineering firms and related service providers who serve these businesses. We partner with our clients to find solutions that are economical, practical and make sound environmental sense.

We also help clients who are in the business of environmental sustainability or who are seeking to employ more sustainable practices as a part of their everyday business. The attorneys at Schnader have been involved in siting environmental service facilities, the development and redevelopment of brownfield sites, obtaining approvals and permits from the regulatory agencies for beneficial reuse of material that was previously disposed of and green building and other sustainability initiatives. Whether it is working with a steel manufacturer seeking to acquire environmental reduction credits after the installation of a new

electric furnace, or assisting a large, national provider of comprehensive waste management services in a transaction related to the composting of waste, Schnader's attorneys seek to develop creative, cost-effective solutions for our clients seeking to embrace a cleaner, greener approach to the world. Our team's experience includes:

- permitting, compliance and regulatory matters relating to siting, constructing and operating storage, processing, recycling, treatment and disposal facilities;
- acquisitions, divestitures, siting and development of storage, treatment, processing, recycling, reuse and disposal facilities;
- privatizations of services and infrastructure, assistance in the public procurement process, responding to requests for proposals, including review of and comment on proposed contract documents;
- drafting and negotiation of various project development documents including sale/leases, operating agreements, supply side arrangements, transportation, treatment, processing and disposal;
- representing developers, financial institutions and private investors in environmental services investments and lending transactions;
- monitoring and providing comment on significant legislation and regulations impacting the environmental services industry;
- advising entities on green initiatives and recycling matters, including energy credits, emissions credits, and greenhouse gas matters; and
- drafting and negotiation of host benefit agreements / community impact agreements and land valuation guarantees.

Schnader serves a cross section of municipal, commercial, industrial and service corporations throughout the United States with all aspects of waste management and environmental sustainability. From regulatory and legislative challenges, at the local, state and federal level, to navigating both the routine and unexpected challenges of day-to-day business, Schnader draws on talent from across the Firm's practice groups to assist entities to further their goals for sustainability.

Our Lawyers

The Sustainability and Environmental Services Practice Group is supported by members of our Environmental Law Practice Group, the Green Building Team, and the Energy Practice Group. Members of the Environmental Law Group include former officials of state and federal regulatory agencies. The Green Building Team is comprised of representatives from the Construction Industry Practice Group, whose members include a number of attorneys who have been educated as engineers, have attained professional engineering registration, and have had years of hands-on design and construction experience prior to entering the legal profession. Schnader attorneys are members of the Green Building Alliance and LEED certified, National Solid Waste Management Association and Environmental Industries Association.

Representative Matters

- Representation of hazardous, solid and medical waste processing, storage, treatment and disposal facilities.
- Representation of owners/operators of waste to energy facilities.
- Representation of recycling facilities, scrap processing, and construction and demolition processing facilities.
- Representation of owners and developers in methane recovery projects and alternate energy projects.
- Representation of beneficial reuse management companies and projects, including permitting byproducts as beneficial use materials.
- Representation of environmental services providers in permitting, administrative appeals and compliance matters.
- Representation of financial institutions in providing credit for environmental services businesses.
- Serving as special counsel to a state government and a state solid waste authority for a demonstration facility for the recovery of usable materials from municipal solid waste and sewage sludge.
- Serving as jurisdiction counsel in connection with the design and construction of sewer and water treatment facilities improvements.
- Serving as counsel to a major city's industrial development commission in public works projects.
- Counseling retail establishments on sustainability best practices for regulated substances.

Contacts

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