

Hazardous Waste

Overview

When hazardous materials are released into the environment, the damage can be overwhelming. As a result, a complex array of laws and regulations apply regarding toxic substances, and those responsible for their release are often held to a strict liability standard and subject to open-ended damages.

Comprised of lawyers experienced in every area of environmental law, Best Best & Krieger LLP's Hazardous Waste team is a leader in advising both private and public agency clients on all types of environmental issues. We fully understand the subtleties and interplay of the many environmental laws that apply regarding hazardous materials, including the Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, and state and federal clean water and clean air acts, among others. This understanding and experience enable us to guide clients through legal and regulatory requirements, minimize liability risk, devise strategies to manage and contain cleanup costs, and effectively prosecute and resolve litigation when it arises.

Our environmental lawyers regularly represent clients before regulatory bodies and in [trial and appellate courts](#), as well as offer counsel regarding due diligence investigation, zoning and permitting issues, hazardous material handling, regulatory compliance, responsible-party obligations, insurance coverage, and remediation obligations. Combining legal and environmental regulatory experience with an understanding of the underlying sciences, we have effectively resolved a wide variety of hazardous waste cleanup and abatement claims, CERCLA and RCRA cost-recovery settlements and toxic tort actions, as well as enforcement actions brought by the EPA and state and local regulatory agencies. We have defended clients throughout California against Proposition 65 claims and provide advice to help clients successfully avoid liability.

Our attorneys possess decades of experience representing public agencies and practicing before virtually every California and federal agency. This combination has earned us the respect of regulators and informs how best to assist our clients. BB&K goes further, assisting clients with government

Key Contacts



Gene Tanaka

PARTNER

(925) 977-3301



Piero C. Dallarda

PARTNER

(951) 826-8338

Connected Industries

[Agri-Business](#)

[Business](#)

[Health Care](#)

[Municipal](#)

[Real Estate](#)

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Related Practices

[Air Quality](#)

[California Environmental Quality Act \(CEQA\)](#)

[Endangered Species](#)

relations and advocating to secure cleanup funding.

Ultimately, good representation requires a partnership with the client and expert consultants, enhanced by experience and effective working relationships with staff, lawyers and all those involved in a matter. Our long-standing client relationships and effective counsel exemplify this and enable us to allay clients' concerns regarding hazardous materials problems.

Representative Matters

- Represent a port district in litigation to require responsible parties to clean up contamination in a major West Coast port.
- Represent Los Angeles County in assisting the efforts of the California Department of Toxic Substances Control and EPA to clean up lead contamination of 5,000 to 10,000 residences from the Exide facility.
- Successfully prosecuted a special district's \$1 million claim for cleanup of hazardous materials in state trial and appellate courts, and counseled client through the regulatory oversight and cleanup.
- Counseled private client through regulatory process before Regional Water Quality Control Board regarding the purported release of hazardous materials on private property.
- Represented the City of Merced in an action brought by approximately 2,200 plaintiffs for alleged chemical and biological contamination, CWA and RCRA violations, and flood damages. The City obtained dismissal of the CWA and RCRA claims and settled on favorable terms.
- Represented the City of Colton in approximately 10 federal and state lawsuits, in litigation lasting nearly 10 years, over perchlorate groundwater contamination. The cases settled with Colton recovering almost all of its damages, and the responsible parties funding a nearly \$100 million cleanup.
- Represent Los Angeles County before the California Department of Toxic Substances Control regarding cleanup of the former BKK Carson Landfill and cost recovery from numerous public agencies and private entities.
- Served as co-counsel for North Kern Water Storage District in a three-month bench trial concerning pre-1914 appropriative water rights, prevailing on appeal.
- Represented the City of Needles in two related lawsuits that helped prevent the licensing of a low-level radioactive waste facility at Ward Valley, California.

People



Piero C. Dallarda
PARTNER

Environmental Law & Natural Resources

Environmental Litigation

Government Relations

National Environmental Policy Act (NEPA)

Public Contracts & Construction

Water Quality

Our Perspective

Water



PIERO.DALLARDA@BBKLAW.COM

(951) 826-8338

VCARD
LINKEDIN

Areas of Focus: Municipal Law | Special Districts



John D. Freshman

SENIOR DIRECTOR OF
GOVERNMENTAL AFFAIRS*

JOHN.FRESHMAN@BBKLAW.COM

(202) 370-5301

VCARD
LINKEDIN
TWITTER

Areas of Focus: Air Quality | Endangered Species | Environmental Law & Natural Resources | Government Relations | Hazardous Waste | Water



Ryan Guiboa

ASSOCIATE

RYAN.GUIBOA@BBKLAW.COM

(213) 787-2549

VCARD

Areas of Focus: Business Litigation | Government Policy & Public Integrity | Hazardous Waste | Municipal Law | Public Agency Litigation



John H. Holloway

PARTNER

JOHN.HOLLOWAY@BBKLAW.COM

(213) 617-7495

VCARD
LINKEDIN

Areas of Focus: Eminent Domain | Environmental Litigation | Hazardous Waste | Public Agency Litigation | Public Contracts & Construction



Michelle Ouellette

PARTNER

MICHELLE.OUELLETTE@BBKLAW.COM

(951) 826-8373

VCARD
LINKEDIN

Areas of Focus: California Environmental Quality Act (CEQA) | Endangered

Species | Environmental Law & Natural Resources | Environmental Litigation |
Municipal Law | National Environmental Policy Act (NEPA)



Ward H. Simmons

OF COUNSEL

WARD.SIMMONS@BBKLAW.
COM

(951) 826-8366

VCARD
LINKEDIN

Areas of Focus: Endangered Species | Environmental Law & Natural Resources |
General & Special Counsel | Municipal Law | Special Districts | Water



Andrew M. Skanchy

OF COUNSEL

ANDREW.SKANCHY@BBKLA
W.COM

(916) 551-2854

VCARD
LINKEDIN

Areas of Focus: California Environmental Quality Act (CEQA) | Environmental
Law & Natural Resources | Environmental Litigation | Municipal Law | National
Environmental Policy Act (NEPA)



Gene Tanaka

PARTNER

GENE.TANAKA@BBKLAW.C
OM

(925) 977-3301

VCARD
LINKEDIN

Areas of Focus: Environmental Law & Natural Resources | Environmental
Litigation | Hazardous Waste | Public Agency Litigation | Water

News & Events

PRESS RELEASES | DEC 19, 2018

Cities' Struggles to Meet Obligations Are Real — BB&K Municipal Law Team Grows to Help

New and Expanded Services and More Attorneys and Staff Added in 2018

AUTHORED ARTICLES & PUBLICATIONS | JAN 28, 2018

Best in Law: New Prop. 65 Warning Rules Hit Shopkeepers in August

LEGAL ALERTS | DEC 11, 2017

First Amendment Rights of California Public Agencies Affirmed by Appellate Court

Anti-SLAPP Motion Successful in Dispute

LEGAL ALERTS | MAY 08, 2017

Preparations Underway to Regulate 1,2,3-TCP in California's Drinking Water

State Water Resources Control Board Held Public Hearing

EVENT | APR 21, 2017

IMLA's 2017 Mid-Year Seminar

International Municipal Lawyers Association

VIDEOS | NOV 30, 2016

John Holloway Video Bio

Partner

BB&K IN THE NEWS | SEP 28, 2016

South Ontario Neighborhood Has Lived on Trucked-In Water for Nine Years, Here's Why

BB&K Partner Gene Tanaka Discusses Possible Resolution of Toxic Water Issue with San Bernardino Sun

BB&K IN THE NEWS | SEP 23, 2016

County Counsel Teamwork: The Exide Story

BB&K Part of Team Supporting Clean Up of Former Battery Recycling Site

LEGAL ALERTS | SEP 09, 2016

California Agency Announces Changes to Proposition 65

"Clear and Reasonable" Warning Requirement Clarified

AUTHORED ARTICLES & PUBLICATIONS | APR 19, 2016

Best in Law: Get Out in Front on Possible Environmental Violations

Businesses Will Find That Honesty Is the Best Policy, Writes BB&K Partner
Danielle Sakai in the Press-Enterprise

CLIENT SUCCESSES | FEB 26, 2016

BB&K Team Helps L.A. County Get State Funding for Exide Contamination

Board of Supervisors gives commendation to attorneys John Holloway and
Gene Tanaka

PRESS RELEASES | JUL 04, 2014

BB&K Attorneys Recognized as 2014 Northern California Super Lawyers and Rising Stars

Congratulations to These Attorneys
