

# Reed W. Neuman

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Reed Neuman has practiced environmental law and litigation for more than four decades. He represents major manufacturers and other private interests throughout the U.S. on environmental compliance matters and responsibility disputes in administrative settings, civil trial courts, and alternative dispute resolution (ADR) efforts.

Reed has a comprehensive perspective informed by a decade of government service litigating environmental claims in federal and state courts. While he counsels clients on a broad array of environmental regulatory and compliance issues, he has particular expertise with contaminated media and hazardous substance management under the federal CERCLA (Superfund) and RCRA laws and analogue state programs, including associated natural resource damage (NRD) claims. He has a wealth of experience in multi-party cost allocation projects, and has served as common counsel to groups of responsible parties in administrative and civil matters.

Reed also assists clients in developing strategic business solutions to environmental compliance obligations and disputes, transactions and project development, and litigation and collateral issues, including: managing remediation projects, contractors and costs; conducting due diligence and risk-sharing negotiations in transactions; addressing public relations concerns, and developing public disclosures and accounting determinations.

Prior to entering private practice, Reed served as a Senior Trial Attorney with the U.S. Department of Justice's Environmental Enforcement Section. While at DOJ, he prosecuted civil enforcement actions arising under the major pollution control statutes, primarily on behalf of the U.S. Environmental Protection Agency (U.S. EPA). Previously, he was an Assistant Attorney General for the State of Illinois handling civil prosecutions resulting from independent investigations and on behalf of Illinois EPA. Reed served as Section Chief of the Attorney General's Office's Southern Region.

He is a member of Nossaman's Environmental & Land Use and Litigation groups, and currently serves as the Administrative Partner for the Firm's DC office. Previously, Reed served on the Firm's Executive, Compensation and Strategic Planning Committees, and as the chair of the Firm's Natural Resources and Real Estate Department.

## EXPERIENCE

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**Bristol-Myers Squibb Company.** Served as national coordinating counsel for more than two decades, addressing virtually all legacy liabilities arising under the federal Superfund and analogous state statutes addressing contaminated land and water resources, including:

- Defending cost recovery actions in federal and state courts in New York, New Jersey and Indiana;
- Negotiating numerous administrative consent orders with US EPA and state agencies, frequently in conjunction with cooperating party groups;
- Coordinating the company's defense of NRD claims brought by federal and state natural resource trustee agencies at the Lower Passaic River site in New Jersey;
- Negotiating and adjudicating multi-party cost allocations;
- Developing strategies and negotiating risk-shifting provisions in asset and property transfer agreements for environmentally-impaired properties;
- Overseeing implementation of contaminated site assessments, remediation and restoration efforts, including supervision of technical consultants; and
- Advising the company on the legal aspects of financial reserve determinations and public disclosures with respect to its remediation site liabilities.

**Montana Power Company.** Helped negotiate a remediation plan and cost allocation regarding the removal of contaminated sediments from a reservoir formed by the company's hydroelectric power facilities; also helped coordinate comments on a proposed Biological Opinion with respect to US Fish & Wildlife's consideration of operational changes at the facilities to enhance migratory fish passage.

**Coty, Inc.** Currently representing Coty individually and previously as common counsel with respect to a number of Superfund sites throughout the United States.

**Lockheed Martin Corporation.** Representing Lockheed Martin in cost recovery and multi-party cost allocation matters at remediation and NRD sites, as well as regulatory policy matters.

**Douglas Development.** Defended landowner against civil claims of adjacent property owner for damages and cost recovery due to alleged migration of contaminated ground water, as well as government claims for clean-up and resource damages in the nearby Anacostia River.

**Valero Energy.** Provided strategic litigation counselling on cost recovery claims regarding former refinery operations.

**Mead Johnson Nutrition.** Represented MJN as original defendant and as third-party plaintiff with respect to cost recovery claims arising out of state Brownfields clean-up.

**BF Goodrich Company.** Successfully resolved indemnity claims and pre-empted litigation regarding divested, environmentally impaired manufacturing facilities.

**Gulf Resources/Bunker Hill Company.** Helped devise a site-wide technical "master plan," combining multi-media remediation strategies to address widespread land and water impacts from a former mineral mining and smelting complex in northern Idaho.

**Altec Lansing Company.** Advised U.S. electronics manufacturer with respect to European Union compliance obligations pertaining to transboundary movement and labeling of regulated products.

## INSIGHTS

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### PUBLICATIONS

Co-Author, "EPA's Enforcement Discretion and Settlement Policy for its PFAS CERCLA Rule | Part II: A Salve or Hot Air?", *Nossaman eAlert*, 04.23.2024

Co-Author, "EPA Designates Two PFAS as Hazardous Substances Under CERCLA | Part I: Impacts on Potentially Responsible Parties," *Nossaman eAlert*, 04.22.2024

Co-Author, "Interior Issues New NRDAR Type A Rule for Comment," *Nossaman eAlert*, 01.04.2024

Co-Author, "Department of the Interior Seeking Comments on NRDAR Type A Rule," *Nossaman eAlert*, 01.23.2023

Co-Author, "EPA to Increase Enforcement Actions Under Environmental Justice Initiatives," *Nossaman eAlert*, 06.01.2022

Co-Author, "Biden Administration Announces New Environmental Justice Initiatives," *Nossaman eAlert*, 05.23.2022

Podcast Co-Host, "CERCLA at 40: The Monster That Often Eats the Village," *Digging Into Land Use Law*, 07.12.2021

Co-Author, "Interior Issues Operating Principle for Natural Resource Damage Assessment and Restoration Program," *Nossaman eAlert*, 06.01.2020

Co-Author, "Coronavirus Environmental Enforcement & Compliance Update," *Nossaman eAlert*, 04.22.2020

Co-Author, "EPA Announces Temporary Policy Suspending Enforcement of Certain Environmental Compliance Obligations During Coronavirus Pandemic," *Nossaman eAlert*, 03.27.2020

Co-Author, "DOJ-ENRD Issues Policy Memorandum Ending Use of SEPs in Environmental Settlements," *Nossaman eAlert*, 03.27.2020

Co-Author, "NRD Consent Decree Shows Innovation Alive & Well at DOI," *Nossaman eAlert*, 06.06.2019

Co-Author, "Department of the Interior Closes Comment Period on NRDAR Regulations," *Nossaman eAlert*, 11.01.2018

Co-Author, "Interior Issues Advanced Notice of Proposed Rulemaking on NRDAR Regulations," *Nossaman eAlert*, 08.29.2018

Contributing Author, "Beyond the Headlines: Best Practices to Restore Natural Resources Injured by Long-Term Hazardous Waste Releases, Oil Spills and Transport and Other Accidents," *Bloomberg BNA Daily Environment Report*, 08.18.2014

## **SPEAKING ENGAGEMENTS**

Presenter, "NRDA Practitioner Conference," Ad-Hoc Industry Natural Resource Damage Group's Natural Resource Damage Assessment Practitioner Conference, Tampa, FL, 02.22.2012

Presenter, "Would NRD Practice Benefit From More Standardization?," Ad-Hoc Industry Natural Resource Damage Group's Annual Symposium, Washington, DC, 10.26.2011

## **HONORS**

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Listed, *The Legal 500 United States*, Industry Focus - Environment - Litigation, 2022

Listed, *The Legal 500 United States*, Industry Focus - Energy - Renewable/Alternative Power, 2021

Selected to the Washington D.C. Super Lawyers list, 2014-2020

## **PRACTICES**

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Environment & Land Use

Litigation

Contamination & Natural Resource Damages

Clean Up of Groundwater & Contaminated Media

## **INDUSTRIES**

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Energy & Utilities

Dam Construction, Operation & Removal

## EDUCATION

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Case Western Reserve University School of Law, J.D., 1977

Denison University, B.A., 1974

## ADMISSIONS

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District of Columbia

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, District of Columbia Circuit

U.S. District Court, District of Columbia

U.S. District Court, Northern District of Illinois

U.S. District Court, Southern District of Illinois