

Environmental, Workplace Safety and Utilities



Private and public entities often face environmental, workplace safety and regulatory issues. We're prepared to serve as a strategic partner in planning, compliance, enforcement defense, education and training, public/private partnerships, litigation and policy advocacy. Our attorneys have decades of experience helping to enhance business results through counseling on environmental, workplace safety and utility matters. Our counseling is informed by our experience as utility executives, litigators and public officials. We have also provided counsel to the energy, oil and gas, water and wastewater, manufacturing, food and beverage, construction, real estate, and healthcare industries. We help clients approach compliance and enforcement issues, permitting, zoning and municipal law, consent order structure and utility rate design and we are ready to defend against or pursue litigation, if necessary.

Key Contacts



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Team

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A proactive approach to environmental, health and safety (EHS) compliance

We are prepared to advise, advocate and, if necessary, litigate regarding regulation by the U.S. Environmental Protection Agency (EPA), the PA Department of Environmental Protection (PADEP), the Occupational Safety and Health Administration (OSHA), the Susquehanna River Basin Commission (SRBC), and the Delaware River Basin Commission (DRBC), including before courts, the Pennsylvania Environmental Hearing Board (EHB) and the Occupational Safety and Health Review Commission (OSHRC).

Some examples of matters we assist clients with include:

- Removing or reducing excessive permitting obligations
- Comprehensive EHS audits and self-disclosures
- Agency audit policies to mitigate or eliminate penalties for noncompliance
- National Pollutant Discharge Elimination System permitting and compliance
- Stormwater and wastewater management, permitting and disposal issues
- Hazardous and residual waste, including waste recycling and compliance
- Air quality permitting and airborne workplace exposures
- Managing investigations, information requests and inspections
- Workplace emergencies and compliance with OSHA standards
- Chemical safety in the workplace including classification and communication standards
- Agency internal processes
- Improving relationships with regulatory agencies

Utility issues drive business and financial results

Utility service is essential to providing service to customers, patients and clients. Whether the business is municipal service, healthcare, manufacturing or construction and real estate, we help clients to not only understand utility law and regulation but also how the public and private sectors can fund and operate utility service to benefit the community for the long-term. We are problem solvers who work with public and private utilities to navigate state

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agency permitting and requirements, partner with state agencies to solve community problems and build strong and ongoing relationships so that problem solving is an ongoing process. We understand how state and municipal governments work and how businesses work and how ongoing communication and interrelated planning can enhance success for both. We assist clients with matters such as:

- Negotiating terms of a sale of wastewater assets
- Counseling and negotiating public private partnerships to enhance water service to schools, businesses and new development
- Advising on and negotiating wastewater supply agreements between a large industrial manufacturing facility and a wastewater provider
- Negotiating wastewater supply agreements with rate design to benefit all parties
- Providing legal advice on funding infrastructure with federal, state and local financing
- Counseling and negotiating the sale of municipal wastewater assets, including educating and community outreach to ensure full understanding of the transaction by the governing body and the community
- Providing representation before the Public Utility Commission (PUC) and DEP on not only basic permitting matters but also matters of broad public policy impact
- Advising on funding utility assets using tax increment financing
- Assisting business clients understand the breadth and depth of utility discretion and where regulatory restrictions reduce that discretion

Effective representation for regulatory and government affairs

Saxton & Stump's Environmental, Workplace Safety and Utilities team is highly experienced in helping clients navigate the various branches of government and agencies for purposes of furthering legislative and policy initiatives. Our attorneys and consultants have long-term relationships with administrative agency executive offices, commissions, boards and authorities, as well as senior staff in the office of the governor and its office of general counsel. We can work with you to advance your regulatory and legislative agendas before

the legislature, the Governor's office, the Public Utility Commission (PUC), the PA Department of Environmental Protection (PADEP) and other agencies.

Our professionals leverage their experience and their broad and deep understanding of the impact of environmental, workplace safety and utility law and regulations on all industries. Some representative examples of our team's experience include:

- Lobbying and advocating for clients and utility customers in utility service and rate cases before the PUC, PADEP, the Office of the Governor and the respective Pennsylvania House and Senate Committees
- Drafting of and lobbying for the passage of amendments to the Pennsylvania public utility law and regulations
- Interdisciplinary representation and knowledge of government operations, regulatory processes and administrative matters
- Firsthand experience with legal, financial and operational utility issues
- Convening and facilitating public/private partnerships to solve community development issues

Trial attorneys prepared to defend against environmental litigation

When facing environmental disputes, we offer clients goal-oriented counsel to help them pursue the optimal outcome. Our attorneys are prepared to advise clients on their rights and obligations under federal and state law and provide counsel on various regulatory compliance issues. When litigation is necessary, we have a team of litigators who have handled hundreds of cases. Our clients also have access to highly experienced trial technology professionals who possess over four decades of combined national and international experience and have worked on well over 500 trials across the country. This allows us to determine the best way to prepare and display critical evidence and exhibits through and facilitate the understanding of the judge and jury. In addition to our in-house resources, we have worked with current and former law enforcement investigators, current and former government officials and nationally recognized experts in their respective fields.

Environmental counsel and representation for business and real estate transactions

Saxton & Stump's collaborative, business-savvy approach to all client matters helps us assist you as you contemplate the growth and future of your business. This approach includes assessing the environmental implications of business and real estate transactions. Our team is prepared to help you understand and navigate matters such as:

- Environmental due diligence
- Permitting transitions for changes of ownership
- Zoning, land use and real estate law
- Oil-and-gas rights
- Surface and groundwater withdrawals and water rights, including water use for oil-and-gas operations