



CARL B. EVERETT

OF COUNSEL

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SERVICES

Brownfields
Clean Air Act
Clean Water
Environmental
Environmental Administrative
Appeals
Litigation
Environmental Civil Litigation
Utilities
Site Remediation

INDUSTRIES

Energy

Carl Everett has more than 42 years of experience helping manufacturers, oil and gas companies and many other types of businesses resolve disputes with the government and other parties over environmental remediation of polluted sites. He is deeply involved in cases involving the Superfund, including serving as common counsel to large groups of potentially responsible parties (PRPs) involved in CERCLA remediation projects. He also helps these clients with regulatory compliance and enforcement matters brought under federal and state environmental statutes, and tort litigation. Beyond litigation, Carl counsels clients on environmental permit requirements under state and federal law. And he helps landowners and developers secure liability protections under brownfield programs.

Carl's understanding of the challenges businesses face with environmental compliance also stems from his past role as a senior counsel for E.I. du Pont de Nemours and Company. While with DuPont, he was involved in appeals of the ozone standard and the Ohio State Implementation Plan for Sulfur Dioxide under the Clean Air Act and in appeals of effluent guidelines for inorganic and pesticide manufacturing facilities and consolidated permit regulations under the Clean Water Act. Carl also participated in chemical industry activities directed toward amendments to the Clean Air Act, the Clean Water Act, and CERCLA. At various times, he provided counsel with respect to air, water, and waste matters at DuPont facilities in the U.S. and Puerto Rico.

ENVIRONMENTAL LITIGATION AND ENFORCEMENT

Carl represents companies involved in litigation relating to their compliance with federal and state environmental regulation. He has a deep understanding of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) from his work helping companies navigate determinations involving potentially responsible parties, remediation and financial responsibilities connected with remediation.

Select representations include:

- A potentially responsible parties (PRP) group in negotiations with the U.S. Environmental Protection Agency, (EPA), remedial firms and technical consultants involving environmental site remediation work at the

Galaxy/Spectron site. Chemical solvents were recycled and fuels were once blended at the site in Elkton, Maryland. Remediation involved addressing: contamination of the soil; groundwater and bedrock groundwater being overburdened by volatile organic compounds (VOCs); and dense non-aqueous phase liquids seeping into a nearby creek bank.

- A manufacturer in negotiations with the U.S. Environmental Protection Agency (EPA), remedial firms and technical consultants involving environmental site remediation at the site of a former municipal landfill and barge cleaning company. Remediation activities on the 17-acre site in Jefferson County, Texas focused on addressing contaminated soil and groundwater with hazardous chemicals.
- A manufacturer in defense of the company's efforts to clean up a contaminated site.
- A pharmaceutical company facing an enforcement action under the Clean Air Act.
- A manufacturer in response to issues arising from the proposed inclusion of a site it formerly owned on the Superfund National Priorities list.

ENVIRONMENTAL PERMITTING

Carl's work in environmental permitting includes new source review, hazardous air pollutant rules and developments related to climate change under the Clean Air Act and stormwater control and total maximum daily load programs under the Clean Water Act.

Select representations include:

- A manufacturer in a consultation and negotiation with the Army Corp of Engineers regarding jurisdiction over the company's activities relating to the environment.
- A charitable organization in zoning matters involving a new facility in Havertown, Pennsylvania.

HONORS

Member of *U.S. News - Best Lawyers*® "Best Law Firms" National Tier 1 ranked Environmental Law Practice

Named to *The Best Lawyers in America* list, Environmental Litigation, 2014 to present

Named to *The Best Lawyers in America* list, Environmental Law and Water Law, 1995 to present

Named one of "America's Leading Lawyers in Environmental Law" by *Chambers USA*, 2005-2015

Selected for inclusion in *Pennsylvania Super Lawyers*, 2004 to present

MEMBERSHIPS AND AFFILIATIONS

Member, Board of Directors, YMCA of Philadelphia & Vicinity

Member, Natural Resources Law Section, American Bar Association

Member and Past Co-Chair (1997), Environmental Law Committee, Philadelphia Bar Association

Member, Environmental Law Committees of the Delaware State and Philadelphia Bar Associations

EDUCATION

J.D., University of Houston Law Center, 1973

B.S., Massachusetts Institute of Technology, 1969

BAR ADMISSION

Delaware

Pennsylvania

Texas