



## Melissa M. Malstrom

### Associate

Melissa focuses her practice in environmental litigation and counseling. She represents a variety of clients in regulatory enforcement actions and litigation involving environmental, land use, and natural resource issues. She has counseled clients under investigation by local, state and federal agencies, including the EPA, Nuclear Regulatory Commission, State Water Resources Control Board, and the California Department of Public Health. Her practice involves a wide range of environmental statutes including the Clean Water Act (CWA), Comprehensive Environmental Response Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), the Clean Air Act, and their state counterparts, including the Porter-Cologne Water Quality Control Act, and Carpenter-Presley-Tanner Hazardous Substance Account Act. Melissa is familiar with all aspects of litigation as well as alternative dispute resolution and provides cost effective strategy and counseling.

#### Representative Work

Advising client on compliance with Clean Air Act New Source Review and Maximum Achievable Control Technology regulations.

Evaluating and responding to claims asserted by property owner regarding alleged soil and groundwater contamination.

Defending homeowners against Clean Water Act citizen suit asserted by neighboring property owner.

Evaluating and responding to environmental organization's complaint to Nuclear Regulatory Commission on behalf of corporate client.

Counseling corporate client under investigation for alleged False Claims Act violations.

Counseling individual clients under investigation for improper closure of hazardous waste facility.

Advising public agency concerning regulatory agency jurisdiction and alleged permit violation.

Assisting with seven-week arbitration allocating environmental investigation and remediation costs.

#### San Francisco

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#### Practices/Industries

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Real Estate

Land Use

Environment & Natural Resources

Environmental Crimes &

Investigations

Air Quality

Contaminated Property

## **Publications**

"*The Clean Water Rule: Agency Regulations in Flux Lead to Uncertain Jurisdiction Under the Clean Water Act*," 33 A.D.C. DEFENSE COMMENT, No. 1 (Spring 2018)

## **Education**

J.D., University of Washington School of Law (2016)

B.A., George Washington University (2009)

## **Admissions and Courts**

California

U.S. District Court for the Northern District of California