



## Samir J. Abdelnour Senior Counsel

Samir's practice focuses on environmental litigation, advice, and counseling. He routinely advises and represents public and private entities, as well as individuals, in regulatory enforcement actions, contaminated property remediation, land use entitlement and permit proceedings, water rights, product labeling, and litigation involving natural resources and other environmental issues. Samir's practice includes a broad range of state and federal environmental and land use laws, including the Clean Water Act (CWA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), Porter-Cologne Water Quality Control Act, Carpenter-Presley-Tanner Hazardous Substance Account Act, and California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"). Samir has extensive experience litigating environmental matters in federal and state courts, as well as through private arbitration. Samir also has experience litigating general commercial and business disputes.

### Representative Work

Representing global manufacturing company in 7-week arbitration to allocate investigation and remediation costs at industrial property regulated under RCRA and CERCLA

Representing federal contractor conducting Superfund site remediation in SF Bay Area

Defending public agency in CWA enforcement action initiated by environmental non-profit organization

Litigating agency approvals for development projects under CEQA

Defending multinational financial services company in capacity as trustee managing environmental investigation and remediation of contaminated property

Resolving California district attorney investigation regarding hazardous materials management and hazardous waste disposal for Fortune 500 company

Defending technology company in Cal OSHA investigation

### San Francisco

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### Practices/Industries

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Air Quality

Contaminated Property

Environment & Natural Resources

Environmental Crimes &

Investigations

Government

Litigation & Dispute Resolution

Proposition 65

Water Law

Evaluating claims asserted by the EPA regarding liability for remediation of a former smelting facility and negotiating settlement with the EPA and other potentially responsible parties

Investigating historical domestic uranium mining and evaluating potential liability arising out of ownership or operation of abandoned mines

Defending toxic tort mass action alleging neighborhood-wide exposure to hexavalent chromium and related damages by thousands of plaintiffs

Evaluating and responding to claims asserted by successor or neighboring property owners regarding alleged soil and groundwater contamination

Defending civil enforcement action by state agency regarding discharge of hazardous waste at airport facility

Analyzing requirements of several states regarding storm water discharges and permits for air transportation facilities

Defending numerous manufacturers, distributors and retailers of consumer products in California in Proposition 65 private enforcement actions

Litigating historical water rights threatened by government actions in California, Nevada and New Mexico

Defending potential civil and criminal liability for hazardous waste discharge alleged by state regulatory agency at recycling facility

## **Publications**

"Clean Up On Aisle 3: How to Avoid Hazardous Waste Enforcement," co-author, *Waste Dive* (September 2018)

"Expert Opinion: Hazardous waste compliance is different in California," co-author, *Chain Store Age* (March 2018)

"Attorney General Amends Settlement Guidelines in Proposition 65 Regulations," *Proposition 65 Law Alert* (October 2016)

"California Adopts Long-Pending Modifications to Proposition 65 'Clear and Reasonable' Warning Regulations," co-author, *Proposition 65 Law Alert* (September 2016)

"California Supreme Court Upholds Pre-condemnation Entry and Testing Law with Addition of Jury Option," *Water Law Alert* (July 2016)

"Comply and Conserve," co-author, *SF Apartment Magazine* (May 2016)

"State Water Board Reinstates Monthly Reporting Requirement on Diverters in Sacramento and San Joaquin River Watersheds," *Water Law Alert* (March 2016)

"State Water Board Extends Emergency Water Conservation Regulation," *Water Law Alert* (February 2016)

"State Water Board Adopts Water Use Reporting and Measurement Regulations," *Water Law Alert* (January 2016)

"Drought State of Emergency: Mandatory Water Use Reduction Extended to October 2016," *Water Law Alert* (November 2015)

"Competing TSCA Reform Bills: A Break in Partisan Fever?" co-author, *Corporate Counsel* (May 2015)

"New Proposition 65 Regulations Being Considered in California," co-author, *Natural Products Insider* (March 2015)

"Court Signals Mixed on NEPA Analysis," *American Oil & Gas Reporter* (April 2014)

"Will 2014 Finally Be the Year for Long-Awaited CEQA Reform?," co-author, *Daily Journal* (January 2014)

### **Blog Posts**

"EPA Launches eDisclosure Portal for Self-Disclosure of Civil Environmental Violations," *HB Briefly* (February 2016)

"OEHHA Revises Proposed Prop. 65 'Safe Harbor' Warning Regulations," *HB Briefly* (December 2015)

"OEHHA Announces New Rulemaking on Prop. 65 Safe Harbor Warnings," *HB Briefly* (November 2015)

"Proposed Prop. 65 Amendments to Require Greater Accountability and Transparency by Private Plaintiffs," *HB Briefly* (October 2015)

### **Presentations**

"Environmental Arbitration: Trial Light or Trial 2.0?," co-speaker, The Bar Association of San Francisco (May 2019)

"Hazardous Waste Compliance Programs: What Works and What is Trouble, the Legal Perspective," Pollution Prevention Summit (September 2018)

"California's Proposition 65: Regulations & Reality," PMI Webinar (March 2018)

"Technical Track Panel," co-speaker, 2017 PMI Conference (November 2017)

"Environmental Law Basics: Understanding Hazardous Waste," moderator, The Bar Association of San Francisco (November 2017)

### **Press**

"VW Banks on Federal Shield to Beat States' Emissions Suits," *Law360* (December 2018)

### **Judicial Clerkships**

Judicial Extern for the Honorable Judge James Larson (Ret.), U.S. District Court for the Northern District of California

### **Academic Distinctions**

*Hastings Constitutional Law Quarterly*, Executive Symposium Editor

Pro Bono Publico Award for Public Service, as Public Benefits Advocate with General Assistance Advocacy Project (2007-2009)

CALI & Witkin Awards, Film & the Law Writing Seminar

### **Education**

J.D., *cum laude*, University of California, Hastings College of the Law (2010)

B.A., with honors, The University of Texas at Austin (1997)

### **Admissions and Courts**

California

U.S. Court of Appeals for the Ninth Circuit

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

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

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

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