



THOMAS S. LEE

Partner

San Francisco

Office Managing Partner and PFAS Team Leader

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BIOGRAPHY

Thomas Lee is a Partner in the firm's Energy, Environment and Infrastructure Practice Group, and is a trusted advisor to clients on a range of environmental topics. Tom regularly works with clients in a variety of industries including real estate investment and development, food and agriculture, retail and consumer products, and chemical manufacturing and distribution.

Tom's practice focuses on three main areas: transactional work, compliance counseling, and enforcement defense. In his transactional work he represents buyers and sellers of real estate and corporate entities that are impacted by environmental conditions or related liability, with a particular focus on brownfield acquisition and redevelopment. Tom takes projects from initial due diligence, through contract drafting, closing, and post-closing remediation and regulatory closure, all with an

eye towards balancing the costs and risks posed by the environmental conditions. Tom also provides compliance counseling to ensure clients' continued compliance, especially in the face of changing regulations. He regularly works with a network of environmental consultants to conduct facility audits where necessary, and to prepare and submit permit applications, and correct non-compliant conditions. Finally, Tom represents clients in enforcement actions under the Clean Air Act, California Air District rules, California Air Resource Board regulations, California's Proposition 65, California's Green Chemistry Initiative, and TSCA.

Tom is the founder and leader of the firm's [PFAS Team](#) and his deep understanding of the ever-changing PFAS regulatory environment has made him a trusted counselor for companies evaluating their PFAS risk in transactional, regulatory, and litigation contexts. Tom is also the founder and editor of the firm's [Emerging Contaminants/Emerging Solutions](#) blog, and writes and presents at conferences and webinars on a variety of topics including California's Proposition 65, and the developing regulation of PFAS.

CIVIC INVOLVEMENT & HONORS

- 2022, 2024 JDSupra Readers Choice Awards Top Author, Environmental
- Recognized by *The Best Lawyers in America*® 2021 "Ones to Watch" Report for Environmental Law
- Recognized as a Super Lawyers Northern California "Rising Star" for business litigation and environmental law from 2016-present. No more than 2.5 percent of California lawyers are named to Super Lawyers' list of "Rising Stars."
- Bar Association of San Francisco Wellness Committee
- United Way of the Bay Area: Koko Campaign Winner in 2012 and 2013 for fundraising; Awarded 2013 Koko Campaign Top Banana for best overall campaign coordinator.

COMMITTEE CONTENT

Recruiting Committee (Co-Chair)

Head of the San Francisco Wellness Committee

ADMISSIONS

- California, 2011
- New York, 2011

EDUCATION

Northwestern University, J.D., 2009

Colgate University, B.A., 2005

RELATED CAPABILITIES

- Environment
- PFAS
- Hotels & Hospitality
- Real Estate Retail
- Food & Agribusiness
- Business & Commercial Disputes
- Real Estate
- Retail & Consumer Products
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Healthcare & Life Sciences
- Energy Transition
- Redevelopment

RESOURCES

PUBLICATIONS

- Tom regularly publishes articles to the Firm's website and is the editor of the Firm's [Emerging Contaminants/Emerging Solutions](#) blog. Please view the insights tab for a list of his articles.
- Quoted, "PFAS: Causal link to personal injury could open litigation floodgates," *The Insurer*, September 11, 2023
- Co-author, "[How to Determine What Is 'Essential Business' as More States Order Shutdowns](#)," *Corporate Counsel*, March 23, 2020

- Co-author, "The Clean Power Plan and Interstate Trading Programs," Energy Infrastructure, Siting, and Reliability Committee Newsletter, ABA, June 2016
- "EPA's Proposed Clean Power Plan Regulations: Structure and Impacts," Bryan Cave Environmental Client Service Group Alert, June 2014
- "The Water Excise Tax: Preserving a Necessary Resource," *Northwestern Journal of Law & Social Policy*, Winter 2009

SPEAKING ENGAGEMENTS

- "State and Federal Regulation of PFAS in Food Packaging," University of Wisconsin-Madison PFAS: Impact on the Planet and Solutions for the Packaging Industry Symposium, November 2, 2023
- "State and Federal Regulation of PFAS in Food Packaging," American Conference Institute Food Law Summit, April 18, 2023
- "Redefining Diligence in the Age of PFAS: New ASTM 1527-21 Standard and the Rise of Emerging Contaminants," The Surplus Properties Roundtable, March 8, 2023
- "Regulation of PFAS in Cookware and Bakeware," The Inspired Home Show, March 5, 2023
- "COVID-19 in 19: Mitigating Premises Liability and Product Liability Risks Associated with COVID-19," Teleconference, March 27, 2020
- "COVID-19 in 19: Shut Down, Shelter in Place and Defining 'Essential Business,'" Teleconference, March 23, 2020
- "New Chemical Listings: How to Make Sure Your Company Stays Compliant," Panelist, Prop. 65 Clearinghouse Annual Conference, September 23, 2019
- "Prop. 65 Regulation of PFAS in Food and Food Packaging," Webinar, July 18, 2019
- "Cautionary Tales in Product Labeling and Marketing," Panelist, Annual American Agricultural Law Association Educational Symposium, October 26, 2018
- "Prop. 65 Food Litigation: Enforcement Trends, Defense Strategies, and How to Reduce the Risk of Being Sued," Webinar, February 11, 2018
- "California's Green Chemistry Initiative: Impacts and opportunities for Retailers," Presented at the Retailer Proposition 65 and Green Chemistry Initiative Legal Roundtable, January 21, 2015
- "Retailer Compliance With Proposition 65, and Revisiting Internal Testing Protocols," Presented to a client in a series of seminars. 10/2011 - 4/2012

RELATED INSIGHTS

Blog Post

Apr 17, 2025

PFAS Air Emissions Restrictions

When evaluating legal risk relating to per- and polyfluoroalkyl substances (“PFAS”), most businesses typically consider wastewater, groundwater, or soil impacts, not air emissions. However, state and federal regulatory agencies have increasingly considered whether PFAS in air emissions affect the environment, paving the path for future emission controls. This article outlines the legal and policy developments at the state and federal level that relate to PFAS in air emissions to help businesses mitigate risk and anticipate changes that may impact their operations.

Blog Post

Updated: Apr 11, 2025

New Mexico Bans Certain PFAS in Consumer Products

On April 8, 2025, the Governor of New Mexico, Lujan Grisham, signed HB 212 prohibiting certain PFAS substances in various consumer products. This bill (now enacted into law) establishes on specific product categories beginning on January 1, 2027, and January 1, 2028. Notably, on January 1, 2032, New Mexico prohibits a manufacturer from selling or distributing any consumer product containing intentionally added PFAS substances. However, the definition of PFAS in the bill is unique in that it excludes certain fluoropolymers like PTFE from the prohibitions.

Blog Post

Mar 31, 2025

PFAS in Consumer Products: State-by-State Regulations

Manufacturers, distributors, and retailers of consumer products across a broad spectrum of industries are being impacted by state laws regulating the presence of per- and polyfluoroalkyl substances (“PFAS”) in their products. This area is rapidly developing as states create new laws or amend existing ones, and the penalties and litigation risks for non-compliance can be significant.

Blog Post

Updated: 27 Feb, 2025

EPA Guidance on PFAS in Biosolids

Blog Post

Feb 04, 2025

PFAS in Soil: State Regulations

In the absence of enforceable federal standards for per- and polyfluoroalkyl substances (“PFAS”) in soil, several states have started the process of regulating PFAS in soil themselves. These regulations have implications for due diligence, site investigations, and remediation decisions. This client alert explores the current landscape of state regulations regarding the advisory, notification, and cleanup levels for PFAS – most commonly perfluorooctane sulfonic acid (“PFOS”) and perfluorooctanoic acid (“PFOA”) – in soil.

Blog Post

Dec 19, 2024

PFAS in firefighting foam (AFFF) and equipment: state-by-state regulations

Numerous states have either enacted or proposed regulations regarding per- or polyfluoroalkyl substances (“PFAS”) present in Class B Aqueous Film-Forming Foams (“AFFF”) used for firefighting, or present in firefighters’ clothing and equipment. These regulations typically involve restrictions in four general areas: Discharge or Use Restrictions. These regulations usually limit or prohibit the use of AFFF in training or testing exercises, and may only allow the use of AFFF in active firefighting situations; Disposal, Storage, Inventory or “Take-back” Provisions. Some states have enacted state run programs to purchase and dispose of AFFF, usually purchasing supplies from government agencies; Notification or Reporting Requirements. When continued use of AFFF is allowed, some states have required that businesses report specific details regarding their discharge; and Limitations on Personal Protective Equip...

Insights

Dec 13, 2024

California indicates lenient enforcement in first year of climate reporting law

Blog Post

Dec 11, 2024

Prop. 65 short-form warnings are about to get longer

Blog Post

Nov 27, 2024

PFAS in groundwater: state-by-state regulations

In the absence of federal cleanup standards for per- and polyfluoroalkyl substances (“PFAS”) in groundwater, several states have started the process of regulating PFAS in groundwater themselves. As a result, states have adopted a patchwork of regulations and guidance standards that present significant compliance challenges to impacted industries. This client alert explores the current landscape of state regulations regarding the advisory, notification, and cleanup levels for PFAS – typically perfluorooctane sulfonic acid (“PFOS”) and perfluorooctanoic acid (“PFOA”) – in groundwater.