



## **STEVEN J. POPLAWSKI**

**Partner**

**St. Louis**

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### **BIOGRAPHY**

Steven Poplawski is a partner in the firm's Energy, Environmental and Infrastructure group. He has 35 years of experience in providing strategic legal and business counseling to address complex and challenging compliance issues frequently involving the interaction of local, state, and federal law. Steve takes a collaborative approach in building and managing teams to address a board array of regulatory, procedural, and contractual matters with a focus on achieving excellent results while being sensitive to client risk mitigation, business efficiency, and corporate social responsibility goals.

Steve maintains a broad environmental practice involving negotiation of real estate and corporate transactions, administrative and judicial litigation, regulatory enforcement defense, and development and implementation of corporate sustainability policies. In addition, he has managed

internal audits and investigations both in an enforcement context and in the context of developing better internal compliance and best practices.

For over two decades, he has acted as primary outside environmental counsel for a major research university. This role has involved advice on property redevelopment issues, counseling on regulatory compliance, and environmental cleanup involving both state regulators and federal agencies responsible for historic contamination. It has also involved strategic advice on rulemaking to provide for more flexibility in how wastes are managed at research and development facilities.

Steve provides compliance counseling regarding a wide range of regulatory issues in all major environmental areas, including air, waste, and water. These representations have included counseling on self-disclosure of violations and negotiations with both state and federal regulators of appropriate settlements often involving multiple facilities throughout the country. They have also included complex and sometimes controversial permitting projects requiring teaming with clients, consultants, and public relations personnel.

Steve represents several NIMBY (Not In My Backyard) industry clients (quarry operators, landfills operators and medical waste incinerator operators), and, as a result, has worked with clients on significant public engagement challenges preparing for public meetings regarding these projects. These efforts have included developing strategies for community outreach to neighbors, local officials and leaders, and to regulators in advance of any formal public meeting. They also include coordination with regulators permitting the projects and with supporters of the projects in preparation for the meeting and working with the client's public relations team on a media strategy.

## **AREAS OF FOCUS**

- Redevelopment

## **CIVIC INVOLVEMENT & HONORS**

- Martindale-Hubbell Peer Review Rating, AV® Preeminent™ 5.0 out of 5
- *The Best Lawyers in America*, Environmental Law (2009-2024)
- *The Best Lawyers in America*, "Lawyer of the Year" (2023)
- *Chambers USA*, Environmental (2009-2023)

## **PROFESSIONAL AFFILIATIONS**

- Bar Association of Metropolitan St. Louis - Environmental Committee
- St. Louis Regional Commerce and Growth Association - Chair, Environmental Committee

## **COMMITTEE CONTENT**

- Sustainability Committee (Chair)

## **ADMISSIONS**

- Missouri, 1988
- Illinois, 1986
- United States District Courts for the Eastern District of Missouri and Northern and Southern Districts of Illinois

## **EDUCATION**

University of Chicago, J.D., 1986

Yale University, B.A., 1983

## **RELATED PRACTICE AREAS**

- Energy & Natural Resources
- Infrastructure
- Zero Emission Vehicles & Charging Infrastructure
- Brownfields
- Citizen Suits/NIMBY
- Clean Air Act
- Clean Water Law
- Compliance Audits and Internal Investigations
- Cost Recovery Litigation (Superfund/CERCLA and State equivalents)
- Criminal Enforcement
- Endangered Species (ESA)
- Environmental Review (NEPA and State EIS laws)
- Hazardous Materials Transportation (HMTA)
- Hazardous Waste (RCRA)
- Insurance Counseling

- International Environmental Law
- Oil Spills
- Pesticides (FIFRA)
- Reporting Requirements (EPCRA, CERCLA, Prop 65 and other state laws)
- Safe Drinking Water (SDWA)
- Solid Waste and Landfills
- Toxic Substances Regulation (TSCA)
- Transactional Work, Including SEC Disclosures
- Underground Injection Control (UIC)
- Water Rights
- Wetlands
- Mobile Source Emissions and Fleet Management
- Agribusiness
- Food & Beverage
- Pubs, Clubs & Restaurants
- Redevelopment
- Data Center & Digital Infrastructure Team
- Real Estate
- Litigation & Dispute Resolution
- Environment
- Finance
- Ethylene Oxide Team
- Campus Free Expression
- Higher Education Team
- Health & Safety
- Investigations
- Regulation, Compliance & Advisory
- Real Estate Private Equity, Investments & REITs
- PFAS Team
- Food & Agribusiness

## **EXPERIENCE**

In addition to extensive compliance counseling experience, Mr. Poplawski has represented corporations on serious enforcement matters:

- Led negotiations on New Source Review enforcement matters involving single and multiple facilities, including preparation of historic analysis of modifications and emission changes

convincing agency that no further action was required.

- Led environmental audit teams organized to identify and correct environmental issues at facilities nationwide in response to criminal investigation begun at one facility.
- Successfully defended aircraft maintenance company against two count felony indictment in federal court. Case settled for misdemeanor plea and no conviction for individual defendants after Company prevailed on a motion to dismiss the Clean Water count of the indictment.

Mr. Poplawski has represented corporate clients in environmental litigation for twenty-five years in both state and federal judicial and administrative tribunals throughout the United States. Mr. Poplawski also has extensive experience in representing Debtors with regard to the treatment of environmental liabilities in bankruptcy. He has represented both plaintiff and defendant corporations in federal and state statutory and common law cost recovery actions involving a variety of contaminants including metals, petroleum products, chlorinated solvents, dioxin and PCBs. The following matters are representative of Mr. Poplawski's experience:

- Represented owner in overseeing litigation of Superfund claim involving PCBs in Delaware River sediment. Used bankruptcy process and estimation proceeding to successfully resolve twenty-year old CERCLA litigation.
- Successfully represented Fortune 100 company in Superfund action that resulted in client being fully reimbursed for cleanup of historic lead contamination.
- Successfully represented Fortune 100 company against Superfund claim in federal court, prevailing on summary judgment.
- Successfully represented three plaintiffs in separate cost recovery actions in state court for petroleum contamination. In each case, the client either recovered all response costs incurred or the defendant agreed to perform the necessary cleanup in compliance with state standards.
- Defended hazardous waste disposal company in state court injunction action seeking removal of forty acre land disposal facility. Work included research on alternative remedies.

Lastly, Mr. Poplawski serves as the chair of the Environmental Committee of the Regional Commerce and Growth Association of Metropolitan St. Louis, where he works on enhancing business development consistent with sustainability goals for the St. Louis Region. He is also the chair of the firm's sustainability committee. These positions give him a unique perspective from which to advise clients on their sustainability efforts.

## RESOURCES

## PUBLICATIONS

- "Using Socially Responsible Investing to Enable Local Action," Meeting of the Minds blog, October 30, 2017
- Co-author - Air Chapter, Missouri Environmental Law Deskbook

## SPEAKING ENGAGEMENTS

- "Corporate Climate Action and Socially Responsibility Investing," Green Economy Symposium, October 5-6, 2017
- "Strategies for Achieving Impact Without Compromising the Bottom Line: Addressing the Challenges Facing Mature Companies," Responsible and Impact Investing Symposium, November 2016 – Addressing Public Disclosure Regulations and Guidance on Sustainability Issues

## RELATED INSIGHTS

Webinars

Feb 08, 2024

**Public Company Update, Cybersecurity Issues and Other Trending Topics**

Insights

Oct 26, 2023

**Dis-closing Time: Golden State Enacts Greenhouse Gas Reporting, Climate Risk Disclosure Requirements**

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**BCLP Team Advises Neenah, Inc., in \$3B Merger of Equals**

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