

## Michael Mostow

### PARTNER

Chicago

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## About Michael

### Tackling pollution efficiently and economically

Michael Mostow is an experienced “dirt lawyer,” advising commercial and industrial clients on business matters involving state and federal environmental laws and regulations. Working with clients in a variety of industries throughout the United States, Michael advises on:

- **Regulatory compliance and enforcement matters involving RCRA, CERCLA, CWA** and other federal and state environmental laws
- **Complex environmental transactions**
- **Environmental insurance**
- **Public/private partnerships** (PPP/P3)

Clients know Michael to be a skilled problem-solver, helping them understand potential threats and opportunities presented by the regulatory landscape at the federal, state and local level. Efficiently navigating the unique business and regulatory circumstances facing each client, Michael communicates legal and business options clearly, working to develop solutions tailored to the timetable and long-term business goals of his clients.

### Experience in Action

- **Advising on hazardous waste management and remediation and cleaning up polluted property economically**, working with federal and state mandatory and voluntary programs, including addressing chemical explosions.
- **Defending clients from cleanup actions**, whether arising under CERCLA, RCRA, CWA or state law.

### Education and Honors

University of Illinois Urbana-Champaign (B.A., *magna cum laude*, 1987)

- Bronze Tablet (Top 3%) from the University of Illinois (Recipient)

Northwestern University Pritzker School of Law (J.D., 1991)

### Bar Admissions

Illinois

### Court Admissions

U.S. District Court, Eastern District of Wisconsin, 1993

U.S. District Court, Northern District of Illinois, 1991





- **Helping clients comply with RCRA** generator, transporter, treatment, storage and disposal regulations, as well as RCRA closure and corrective action.
- **Negotiating CERCLA consent decree and administrative order terms** and advising clients on compliance.
- **Negotiating environmental terms in asset purchases, sales and leases**, including real estate, M&A and other deals across the U.S.
- **Negotiating pre-existing conditions environmental insurance policies** for sites across the U.S.
- **Representing clients in claims against insurance carriers** under commercial and pollution liability insurance policies.
- **Advising on public/private partnerships (PPP/P3)**, focusing primarily on drafting, permitting and insurance for infrastructure projects.

## Successes

- Negotiated a new conditions pollution legal liability policy covering 100-plus operating sites in the U.S. and internationally.
- Obtained RCRA notice of completion for corrective action requirements at a steel mill as a precursor to the sale of the facility, and negotiated the environmental terms of the sale.
- Represented client in purchase and redevelopment of former oil refinery and RCRA treatment, storage and disposal facility.
- Negotiated and drafted all agreements for total risk transfer to environmental contractor and insurance company of CERCLA liabilities.
- Obtained certificate of completion in RCRA closure and corrective action order.
- Negotiated transfer of federal-lead properties subject to CERCLA administrative orders to state voluntary program.
- Served as common counsel to CERCLA PRP group at Superfund site.
- Served as trustee of trust responsible for remediation of CERCLA Superfund site.
- Represented manufacturer in Great Lakes Legacy Act mediation regarding the remediation of river sediments.





## Capabilities

Energy & Infrastructure

Due Diligence and Transaction Support

Emergency Response and Crisis Management

Remediation

Infrastructure and Public-Private Partnerships

Insurance Coverage Litigation

Financial Institutions Litigation

Energy Regulatory

Environmental & Natural Resources

Environmental Litigation, Enforcement and Disputes

## Professional Recognitions

- *Law Bulletin Media* "Illinois Leading Lawyer" (2017-present: Environmental, Insurance, Insurance Coverage & Reinsurance)
- *Best Lawyers in America*<sup>®</sup> (2017-present: Environmental Law)
- *Illinois Super Lawyers*<sup>®</sup> (2006-present: Environmental)
- *Martindale-Hubbell AV*<sup>®</sup> Peer Review Rated

## Professional & Civic Activities

- Chicago Bar Association, chair, 2009-2011, former Legislative Liaison of Environmental Law Committee
- American Bar Association, member
- Illinois State Bar Association, member
- Leading Lawyers Network, member
- Center for Enriched Living, board member

