



## **RICHARD MONTEVIDEO**

### **Partner**

Government and Regulatory

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Orange County

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Richard Montevideo is the Chair of the firm's Environmental Law Practice Group since 1992, which represents a concentration of the firm's environmental expertise in both the transactional and litigation settings. He is also a partner in the Government and Regulatory Section, where he specializes in environmental law, emphasizing Superfund and cost recovery litigation under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), the Resource Conservation and Recovery Act ("RCRA"), the Hazardous Substance Account Act ("State Superfund") and related provisions and common law theories of recovery.

Richard has worked on a number of matters involving various National Priority List Superfund Sites, such as the San Gabriel Valley Superfund Site, the McColl Site in the City of Fullerton, the Montrose Chemical NPL Site in Los Angeles (the Palos Verdes Shelf and the Los Angeles and Long Beach Harbors Complex), as well as various other State and federal Superfund sites throughout Southern California.

He advises clients on a regular basis on a number of regulatory compliance matters, including issues arising under the Clean Water Act (including NPDES and TMDL issues), the California Porter-Cologne Act, State and federal Underground Storage Tank Laws, State and federal laws addressing hazardous materials and acutely hazardous materials, lender liability issues, Proposition 65 (the Safe Drinking Water and Toxic Enforcement Act of 1986), the Polanco Act (H&S Code § 33459 et seq.) the California Integrated Waste Management Act of 1989 (AB 939), and related laws and regulations.

He has extensive experience in dealing with local, State, and federal regulatory agencies, including the United States Environmental Protection Agency, the California Environmental Protection Agency (the Department of Toxic Substances Control), the California Regional Water Quality Control Boards, the South Coast Air Quality Management District, as well as local health departments, public works departments, and fire departments.

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### **Related Services**

- [Government and Regulatory](#)
- [Environmental](#)
- [Municipal Law](#)
- [General and Special](#)

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### **Related Industries**

- [Public Entities and Municipalities](#)
- [Environmental and Natural Resources](#)

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### **Bar & Court Admissions**

- State Bar of California, 1984
- U.S. District Court for the Central District of California 1985
- U.S. Court of Appeals for the Ninth Circuit 1985
- U.S. Supreme Court 1995

Richard also regularly advises clients in real estate transactions involving Brownfield properties and the purchase and sale of properties contaminated and potentially contaminated with hazardous substances and hazardous waste, including advising public entities in their acquisition and/or condemnation of contaminated properties.

He is the past Chair of the Orange County Bar Association, Environmental Law Section, having acted in that capacity from January 1995 to January 2016. He is also a former Adjunct Professor of Environmental Law at Chapman University College of Law.

He is further trained in the skills of mediation, having completed training at Pepperdine University's Straus Institute for Dispute Resolution.

## Areas of Expertise

- Environmental Law
- Superfund and Toxic Tort Litigation
- Environmental Regulatory Compliance
- Public Law
- Litigation

## Presentations

- AEHS 27th Annual Conference - March 2017, "California's Environmental Challenges: The Politics of Cleanup."
- AEHS 26th Annual Conference - March 2016, "California's Environmental Choices: The Choice of Requiring Compliance with Numeric Effluent Limits in Municipal Stormwater NPDES Permits."
- County Counsels' Association of Governments - Spring 2013 Conference, "The Road to Numeric Limits in Municipal NPDES Permits - how did we get here and where to go next?"
- ABA Teleconference Presentation - February 2013, "Stormwater Regulation at the Crossroads: The Courts Weigh In"
- CASQA 8th Annual Conference - November 2012 "The LA River Bacteria TMDL - A Case Study of the Legal Problems with using Numeric Limits in Stormwater Permits"
- Whittier College, Environmental Law Symposium - February 2012 " The Future of Stormwater in Southern California"
- CASQA 6th Annual Conference - November 2010 "The Legal Need for the Development of Water Quality Standards Considering the Unique Challenges of Urban Runoff"
- Program co-chair, *Southern California Stormwater Water Quality Program*, Law Seminars International, and moderated a panel discussion on "The Most Effective Ways to Address Urban Run Off"

## Publications

- *LA County Flood Control District v. NRDC, Inc., A rejection of joint and*

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## Education

- Ohio State University, College of Law (J.D., 1984), with honors, Ohio State Law Review
- Ohio State University (B.S., 1981), summa cum laude

*several liability under the Clean Water Act?"* ABA Section of Environment, Energy and Resources Trends Newsletter, May/June 2013.

- *Are You Making "All Appropriate Inquiries?"* - New U.S. EPA Final Rule Strengthens Environmental Due Diligence Standards, by Richard Montevideo, Partner and Olivia Marr, Associate, Orange County Lawyer, September 2006.
- *Environmental Responsibility In California: Mediate It Or Litigate It*, by Richard Montevideo, Partner [copyright 1998 Rutan & Tucker].
- *The 1996 Lender/Fiduciary Reforms To CERCLA Are Likely The Last Major Reforms To Superfund Until After The Millennium*, by Richard Montevideo, Partner [copyright 1998 Rutan & Tucker].

## Awards & Honors

- AV® Preeminent™ rating with LexisNexis/Martindale Hubbell
- Southern California "Super Lawyer," 2006 - 2016
- Best Lawyers in America, 2008 - 2020



## Memberships & Associations

- U.S. District Court, Central District of California (admitted 1985)
- U.S. Court of Appeal, Ninth Circuit (admitted 1985)
- U.S. Supreme Court (admitted 1995)
- Orange County Bar Association (past Chair, Environmental Law Section, 1/1/95-1/1/16)
- California State Bar Association, Environmental Law Section