

Peter Hsiao

Partner

Environmental, Health and Safety

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Peter Hsiao has 33 years of experience as a lead trial lawyer. He was named Environmental Litigation Attorney of the Year in Los Angeles by *Best Lawyers in America*, and one of 16 lawyers named as a Distinguished Environmental Advocate by the American Bar Association. The *National Law Journal* identifies him as a Trailblazer in Energy and Environmental Law, and is named by *Chambers*, *Legal 500* and Super Lawyers one of the nation's best environmental lawyers.

Peter Hsiao is head of the West Coast U.S. Environmental, Health & Safety Practice resident in the Los Angeles Office. With his chemical engineering background, he is one of the nation's leading attorneys in environmental, natural resources and toxic tort law. He is a Regent of the Board of the American College of Environmental Lawyers, former Chair of the State Bar of California's Environmental Law Section and a former member of the ABA's Standing Committee on Environmental Law.

He served as senior trial lawyer for the U.S. Department of Justice as an Assistant U.S. Attorney in Los Angeles. He was lead trial counsel for the EPA and other agencies, and received the Department of Justice's Special Commendation Award, the U.S. Attorney's Office Special Achievement Award, and the U.S. Fish and Wildlife Service Golden Eagle Award. He was appointed as a judge *pro tem* for the Los Angeles Municipal Court and served as a mediator for environmental cases.

Mr. Hsiao is the editor the California Environmental and Natural Resources Law Handbook. He was president of the board of directors for the Los Angeles County Bar Association Counsel for Justice. He is a life fellow of the American Bar Foundation, former chair of the State Bar of California Committee on Legal Services to the Poor, and recipient of the Wiley W. Manuel Award for *pro bono* legal services.

He graduated *magna cum laude* with a B.S. in chemical engineering from the University of Utah in 1982. He received the Outstanding Student Award from the American Institute of Chemical Engineers. He received a J.D. from the University of California at Berkeley in 1985, where he won the McBaine Advocacy Award.

Matters

Successfully defended **Mattel, Inc.** before U.S. Supreme Court in case arising from contaminated

property dispute in Beaverton, Oregon at site of former View Master facility.

Represented **IMC Corporation** in defending criminal action regarding alleged illegal take of migratory birds from exposure to process ponds. Negotiated settlement and first-ever wildlife mitigation plan with California Department of Fish and Game under Fish and Game Code Section 3007.

Represented **Kano Laboratories** in an enforcement action by the California Air Resources Board regarding emissive content and labeling of adhesive coatings.

Represented **Mattel, Inc.** in relation to volatile organic compound control measures and spray booth issues before South Coast Air Quality Management District.

Served as **Port's** lead trial counsel in federal court action against citizens group challenging validity of Clean Water Act Section 404 permit and NEPA process for China Shipping Terminal.

Obtained court ordered dismissal of all charges against **Thomas Crane Trucking Company** in a felony action alleging violations of federal and state law from oil production and servicing operations in the Bolsa Chica area.

Served as lead outside counsel for **Shea Homes** for stormwater enforcement actions by RWQCB and municipal agencies. Assisted in preparation of SWPPPs and provided counseling and training on wide range of compliance issues and negotiated with citizens' group regarding alleged stormwater releases to Malibu Creek.

Provided legal counsel to the **Port of Los Angeles** regarding storm water pollution control issues, including advising on the development of new wharf facilities at Pier 100.

Represented **Key Energy Services** in toxic tort litigation for alleged contamination from TPH and other chemicals in residential neighborhood development in Santa Maria, California. Represented client on appeals to State Water Resources Control Board of orders regarding responsible party status.

Obtained dismissal of criminal charges against **Lodi Memorial Hospital** related to alleged asbestos removal practices.

Represented the **East Bay Regional Park District** in a CERCLA case involving a former landfill. Obtained a ruling allocating 95% of the costs to Waste Management, the former owner of the landfill, and only 5% to the Park District, as the site's current owner.

Served as lead trial counsel in federal court action **City and County of San Francisco v. Atlantic Richfield**, et al., to clean up historical contamination by numerous tenants at airport. The over \$140 million settlement was the largest environmental settlement in California in 2006.

Served as lead trial counsel for the nation's leading diesel engine manufacturers **Cummins Engine Company, Inc., John Deere Construction Equipment Company, Detroit Diesel Corp., and Caterpillar, Inc.**, in the first defense judgment achieved after trial in a Proposition 65 action.

Served as lead trial counsel to address the nation's largest source of particulate air emissions, the **Owens Dry Lake Bed**. Obtained judgment after trial against Department of Water and Power, and settlement in administrative adjudication before California Air Resources Board. The resulting settlement led to a new State Implementation Plan and shallow flooding of the lake bed. This settlement had a total value in excess of \$100 million.

Served as lead counsel for **Union Pacific Corporation** for the cleanup of the McCormick and Baxter Superfund site due to contamination. Negotiated a favorable settlement of past cost and future work under a consent decree with U.S. EPA and California Department of Toxic Substances Control.

Served as lead trial counsel for **3M Corporation** to defend against Superfund action by the State of California regarding the Cal Compact landfill site in Long Beach, California (State of California v. Atlantic Richfield). Case resulted in favorable settlement for 3M.

Credentials

EDUCATION

J.D., University of California, Berkeley

B.S. Chemical Engineering, University of Utah

ADMISSIONS

California

ASSOCIATIONS

Life Fellow, American Bar Foundation

Fellow and Regent of the Board of the American College of Environmental Lawyers

Former Member, American Chemical Society

Former President, Board of Directors of the Los Angeles County Bar Association Counsel for Justice

Former Chair, State Bar of California Committee on Legal Services to the Poor

Former Member and Newsletter Author, American Institute of Chemical Engineers

Former Member, American Bar Association Standing Committee on Environmental Law

Former Chair, Environmental Law Section of the State Bar of California

Former President of Board of Directors, Los Angeles County Bar Association's Counsel for Justice

Member, Environmental Law Section, Los Angeles County Bar Association

Member, ABA Section on Environment, Energy and Resources

Recognition

Distinguished Environmental Advocate

AMERICAN BAR ASSOCIATION

Los Angeles Environmental Litigation Attorney of the Year

BEST LAWYERS IN AMERICA, 2016

Trailblazer in Energy and Environmental Law

NATIONAL LAW JOURNAL, 2015

One of the Nation's Best Environmental Lawyers

CHAMBERS AND PARTNERS, 2013-2016

One of the Best Environmental Lawyers in the United States

LEGAL 500 AND PLC GLOBAL 3000

Leading Cross-Border Environmental Attorney
INTERNATIONAL WHO'S WHO OF BUSINESS LAWYERS

One of the Top Environmental Lawyers in Los Angeles
LOS ANGELES BUSINESS JOURNAL

Awarded the U.S. Department of Justice's Special Commendation Award

Awarded the U.S. Attorney's Office Special Achievement Award

Awarded the U.S. Fish and Wildlife Service Golden Eagle Award

Recipient of the Wiley W. Manuel Award for pro bono legal services from the State Bar

"Peter Hsiao impresses with his 'extremely broad experience in all types of environmental issue,' leveraging his experience as a chemical engineer when advising on disputes. His expert trial practice is particularly highlighted, with one client noting: 'To hear him address a court is pure art.'"

CHAMBERS USA 2015

Insights

CLIENT ALERT

September 19, 2019

EPA and NHTSA Take Regulatory Action to Revoke California Authority to Regulate Greenhouse Gas Emissions

May 1, 2019

New York City and Los Angeles Require New Building Standards to Address Climate Change

NEWSLETTER

May 8, 2019

Energy Newsletter – May 2019

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Events

SPEAKING ENGAGEMENT

November 14, 2019

Peter Hsiao to Speak at ALI CLE 2019 Environmental Litigation Course

September 12, 2019

Peter Hsiao to Speak at ABA's Section of Environment, Energy, and Resources 2019 Fall Conference

October 18, 2018

Peter Hsiao to Speak at ABA 26th Fall Conference

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News

IN THE NEWS

July 30, 2019 • Source: Law360

Peter Hsiao advises the state of Utah on a petition to toss out counterclaims by a U.S. Environmental Protection Agency contractor over the 2015 Gold King Mine spill

RECOGNITION

August 16, 2019

The Best Lawyers in America Recognizes 115 King & Spalding Lawyers in its 2020 Guide

King & Spalding Earns Top Rankings in Chambers USA 2019 Guide

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