

## Peter Hsiao

Partner

*Environmental, Health and Safety*

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Peter Hsiao has 36 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. He is one of seven lawyers in the U.S. designated as a Global Leader in Environmental Law by Who's Who Legal. The *National Law Journal* identifies him as a Trailblazer in Energy and Environmental Law, and he is named by *Chambers*, *Legal 500*, *Lawdragon* and *Super Lawyers* as one of the nation's best environmental lawyers.

Mr. Hsiao is head of the West Coast Environmental, Health & Safety Practice resident in Los Angeles. Drawing upon his chemical engineering background, he is one of the nation's leading attorneys in environmental, natural resources, climate change and toxic tort law. He is a Fellow and Chair of the Board of Regents of the American College of Environmental Lawyers. He is also 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 is past-president of the Board of Directors for the Los Angeles County Bar Association's 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

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Los Angeles Environmental Litigation Attorney of the Year

BEST LAWYERS IN AMERICA, 2016

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Trailblazer in Energy and Environmental Law

NATIONAL LAW JOURNAL, 2015

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One of the Nation's Best Environmental Lawyers

CHAMBERS AND PARTNERS, 2013-2016

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One of the Best Environmental Lawyers in the United States

LEGAL 500 AND PLC GLOBAL 3000

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Leading Cross-Border Environmental Attorney

INTERNATIONAL WHO'S WHO OF BUSINESS LAWYERS

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One of the Top Environmental Lawyers in Los Angeles

LOS ANGELES BUSINESS JOURNAL

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

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

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

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

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"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

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## Insights

### CLIENT ALERT

*September 13, 2021*

U.S. EPA and CalEPA Launch Joint Effort to Strengthen Enforcement in Environmental Justice Communities

*March 26, 2021*

California Proposes Designating PFOA as a Carcinogen under Proposition 65

*January 14, 2021*

California Proposes Significant Changes to Proposition 65 Safe Harbor Warnings for Products Sold to Consumers

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## Events

### SPEAKING ENGAGEMENT

*October 1, 2021*

Peter Hsiao to Speak at American College of Environmental Lawyers Annual Meeting

*February 25, 2021*

Peter Hsiao to Speak Virtually on American Law Institute Environmental Law Conference

*February 11, 2021*

Karl Heisler, Peter Hsiao, Jim Vines to Speak at Texas General Counsel Forum About Environmental and Workplace Safety Law Under the Biden Administration

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## News

### IN THE NEWS

*May 7, 2021 • Source: Law360*

Peter Hsiao advises the state of Utah on its settlement with a group of mining companies over a 2015 mine collapse that contaminated water sources

*March 1, 2021 • Source: Daily Journal*

Peter Hsiao remembers his mentor Jack Fudge, former U.S. Navy officer turned courtroom giant

### RECOGNITION

*May 20, 2021*

Chambers USA 2021 Names 179 K&S Lawyers and 65 K&S Practice Groups as Leaders in Their Fields

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