

CONTACT

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PRACTICES

Endangered Species & Wildlife
Litigation & Investigations
Native Affairs
Public Lands
Waste & Hazardous Substances
Water

EDUCATION

Georgetown University Law
Center
University of Notre Dame

BAR AND COURT ADMISSIONS

District of Columbia Bar
Virginia State Bar
U.S. District Court for the Eastern
District of Virginia
U.S. Court of Appeals for the
Seventh Circuit
U.S. Court of Appeals for the
Ninth Circuit
U.S. District Court for the Eastern
District of Wisconsin
Supreme Court of Virginia
District of Columbia Superior
Court

ANNE E. LYNCH

PARTNER



Professional Background

Anne Lynch represents both private and government clients and Indian Tribes on a variety of environmental litigation and transactional issues involving the Clean Air Act, Clean Water Act, CERCLA (Superfund), Resource Conservation and Recovery Act (RCRA), and the Endangered Species Act, as well as State and local environmental laws. Capitalizing on her environmental science background, Anne is able to provide the foundation for working closely with experts to assess complex environmental situations, prepare and review environmental reports, and navigate regulatory issues, leading to seamless trial presentation. She also works closely with fact and expert witnesses to develop and present testimony.

Anne has represented parties at some of the nation's largest Superfund sites, including the Anniston Alabama PCB and lead site and the Lower Fox River and Green Bay Superfund Site. Additionally, she has represented clients at other sites on the EPA's Superfund National Priority List including the Breslube Penn Site in Pennsylvania. She is familiar with the issues related to remediation and allocation of liability for various types of contaminants of concern including polychlorinated biphenyl (PCB), volatile organic compounds, petroleum products and additives, and other hazardous chemicals. Her clients span numerous industries such as paper recycling, metal parts manufacturing, and petroleum distribution. Anne also works with Indian Tribes on complex environmental, cultural resources, and trust matters.

In addition to her environmental litigation work, Anne also counsels clients in regulatory matters such as Clean Water Act storm water compliance, brownfield remediation projects, and proper disposal of hazardous materials. She also represents policyholders to secure insurance coverage for environmental defense and cleanups.

During law school, Anne participated in the Institute for Public Representation environmental litigation clinic, representing several regional Waterkeepers, and was an executive editor of the Georgetown International Environmental Law Review and Vice President and Treasurer of the Environmental Law Forum.

Anne serves as one of the firm's Associate Coordinators.

Representative Experience

- Preparing and analyzing expert reports, drafting discovery requests and responses, working with government agencies for production and certification of records, preparing expert and fact witnesses for deposition and trial testimony, motion practice on both evidentiary and dispositive issues, and deposing and cross-examining expert and fact witnesses.
- Representing numerous Indian Tribes, with matters including an intervention action under the Clean Air Act; actions to protect the sacred San Francisco Peaks; and successfully obtaining a temporary injunction against permanent burial of radioactive waste along the Illinois and Missouri rivers.
- Defending a corporation in the enforcement trial before the Eastern District of Wisconsin concerning remediation of the Lower Fox River, one of the nation's largest contaminated sediment sites.
- Representing companies at several EPA Superfund "Mega Sites" and National Priority List sites, involving a wide range of issues, including contaminated sediments, surface water, groundwater, air

emissions, and historic solid waste disposal.

- Securing a complete defense with no liability for client under Superfund based on the plaintiff's failure to establish a pathway for the contamination from the client's property to the Site.
- Obtaining favorable settlements against responsible parties in multiple cost recovery actions under CERCLA, RCRA, and state environmental laws.
- Establishing the duty of an insurance carrier to provide a defense based on secondary evidence of the existence and terms and conditions of the policy.
- Representing a southern U.S. state in an air pollution litigation including briefing motions for summary judgment, deposing fact witnesses, cross-examination of experts at trial, and preparation for oral arguments.
- Defending companies in multiple state-wide methyl tert-butyl ether (MTBE) cases.
- Assisting in the successful remediation and recovery of response costs to transform an abandoned scrapyard into a centerpiece of a community park greenway.

Awards and Honors

Super Lawyers

Rising Star, Washington, D.C., 2014-2016

Articles and Presentations

- PFAS Litigation in the Pacific Northwest, Law Seminars International , 09/14/2020
- National Association of Environmental Professionals 37th Annual Conference, Portland OR, 05/21/2012
- Pushing the Envelope on Brownfield Remediation: Strategies and Case Studies That Maximize Limited Resources Through Alternative Funding Sources, Environmental Practice, Vol. 13 Issue 2 pp. 130-142, 06/01/2011

Alerts

- SCOTUS Decision Clarifies Property Owners' Restoration Claims at Superfund Sites, 04/22/2020