HUSCH BLACKWELL

Richard J. Lewandowski

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OVERVIEW

Rick guides clients on compliance issues regarding surface and groundwater or remediation of contaminated properties.

With experience in aligning the clean water laws of Wisconsin with Environmental Protection Agency (EPA) guidelines, Rick understands the subtleties of state regulations covering surface and groundwater. He has the unique ability to handle client matters in the courts, administrative agencies and legislatures. Though Rick generally collaborates with private sector clients, he also successfully defended a rural county in Wisconsin in a Superfund contribution action.

Rick defends businesses in state and federal enforcement actions, including citizens' suits and federal criminal enforcements. Clients rely on him when faced with issues of:

- Water permitting
- Solid and hazardous waste regulation
- Groundwater protection
- Site remediation
- PCB remediation
- Pesticide regulation
- Wisconsin Statutes Chapter 30 permits

Industries

Manufacturing
Technology
Transportation

Services

Environmental
Environmental Remediation & Superfund

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- Wetlands law
- Superfund cost allocation and clean-up disputes

Keenly aware of the fluid nature of regulation, Rick advises clients on the feasibility of their long-term capital expenditures, helping to ensure that solutions don't become obsolete.

Experience

- Defended regulated companies in enforcement cases brought by state and federal environmental authorities.
- Tried “contested case” (administrative) proceedings before the Wisconsin Division of Hearings and Appeals and the Public Service Commission of Wisconsin.
- Tried cases (motion practice and bench trials) in federal court and in state circuit courts in a variety of Wisconsin counties.
- Successfully defended a rural Wisconsin county in a CERCLA (Superfund) contribution action brought by the owner of a former manufactured gas plant operation against the county, city and other defendants. After a nearly two-week bench trial, the U.S. District Court for the Western District of Wisconsin found that the county had done nothing to incur liability under Superfund and completely dismissed the owner’s claims against the county. Total remediation costs for the site are estimated to exceed $150 million.
- Represented business interests in the development of legislation and administrative rule-making involving the Clean Water Act, solid and hazardous waste disposal, groundwater protection,wetlands use and protection, and response and remediation of hazardous substance spills.
- Counseled large manufacturers during EPA compliance audits.
- Handled cost allocation disputes between buyers and sellers of manufacturing property.
- Negotiated various environmental permits and litigated challenges to unreasonable permit conditions for businesses.

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Experience

- Maintained a government relations practice and advises clients on public official ethics, campaign finance and lobby law compliance.

Recognition

- *The Best Lawyers in America®*
  - Environmental Law, 2009-2027
  - Litigation - Environmental, 2011-2027
  - Best Lawyers® Litigation - Environmental "Lawyer of the Year," 2016
  - Best Lawyers® Environmental Law "Lawyer of the Year," 2022, 2024
- *Chambers USA*
  - Natural Resources & Environment, 2009-2012
- Ripon College, 2010 Distinguished Alumni Citation
- *Wisconsin Law Journal,* Leader in the Law, 2009
- Wisconsin Super Lawyers, Environmental Litigation, 2009-2012, 2015-2019

Education

- J.D., University of Wisconsin Law School
- B.A., Ripon College
  - *cum laude*

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Admissions

- Wisconsin
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Northern District of Ohio
- U.S. Court of Appeals, Seventh Circuit
- U.S. Supreme Court

Community Leadership

- Ripon College Board of Trustees, 2017-2020
- Ripon College Alumni Association Board of Directors, President, 2013-2015
- National Immigrant Justice Center, pro bono representation of refugees seeking asylum in the United States based on their political or religious beliefs
- Market Economy Fundamentals Program, Moscow, Russia, guest lecturer on law and economics
- EAGLE School Parent Organization, Madison, Wisconsin, past President

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