

## Sharon G. Newman

Partner

Sharon practices environmental law in Preti Flaherty's Portland office. Her practice includes advising clients on environmental, permitting, compliance and remediation issues; representing members of the regulated community before federal and state environmental regulatory agencies; and counseling developers, business owners, and lenders on environmental issues in the purchase of and sale of real property and in other business transactions.

As a former Assistant Regional Counsel with the Hazardous Waste Division of the U.S. Environmental Protection Agency, Region 10 (Seattle), her work focused on the negotiation of hazardous waste cleanup agreements in the Superfund (CERCLA) and RCRA programs. Previously, she served as law clerk to Chief Justice Jay Rabinowitz of the Supreme Court of Alaska.

### **Environmental Due Diligence**

Sharon has served as lead environmental counsel to numerous firm clients engaged in significant business transactions. Representative matters include:

- Purchase of complex brownfield property. Transaction involved negotiation of first environmental covenant issued pursuant to the Maine Uniform Environmental Covenants Act.
- Proposed sale of energy generating assets that were physically integrated with pulp and paper facility. Strategy included successfully obtaining a solid waste beneficial use permit under a tight timeframe, and negotiating with the Maine DEP to amend Maine solid waste laws.
- Complex global permit transfer resulting from acquisition of large Maine manufacturing facility.

### **Environmental Compliance, Permitting and Enforcement**

Sharon provides environmental counsel on a broad variety of technical regulatory compliance and permitting issues, including:

- Hazardous waste and universal waste management
- RCRA facility investigation and closure
- Air, wastewater discharge, solid waste and beneficial re-use, landfill closure
- Asbestos and PCBs
- Spill prevention, control and countermeasure and integrated contingency planning
- Transfer of environmental permits

Sharon draws on her experience as a former EPA regional enforcement attorney to assist clients facing EPA and Maine DEP enforcement actions. She has represented businesses and governmental authorities before the U.S. EPA in RCRA, Clean Water Act, and EPCRA enforcement actions and has been



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particularly successful in negotiating significantly reduced penalty amounts and in utilizing Supplemental Environmental Projects as alternatives to cash penalties.

## **Stormwater Experience**

Sharon has been a key industry stakeholder representative during major overhauls of Maine's stormwater regulations and permits, including Chapter 500 stormwater management regulations and the Maine Multi-Sector General Permit for Industrial Stormwater Discharges. She negotiated the first Municipal Stormwater Sewer System (MS4) permits in Maine. In addition, she has represented members of the regulated community in the creation and implementation of the Long Creek Watershed General Permit (the first Clean Water Act permit in the U.S. to regulate stormwater discharges from existing impervious surfaces). She has also assisted clients providing comment on the proposed statewide Impervious Cover TMDL for impaired streams.

## **Practice Areas**

- Environmental
- Stormwater

## **Education**

- Stanford Law School (J.D., 1984)
- Barnard College (B.A., magna cum laude, 1978)

## **Admissions**

- Maine
- Massachusetts

## **Professional Affiliations**

- Maine State Bar Association
  - Natural Resources and Environmental Law Section
- American Bar Association
  - Section of Environment, Energy, and Resources

## **Honors & Awards**

- Listed in *Chambers USA: America's Leading Lawyers for Business*

## **Civic Involvement**

- Member, Environmental Technology Board, Maine Technology Institute
- Levey Day School, Advisory Board
- Natural Resources Council of Maine, 1998-Present
- Stanford Law School Alumni Association
- Willard Neighborhood Association, 2000-Present
- One Longfellow Square, 2012-Present
- Maine Real Estate & Development Association, Conference & Seminar Committee

## Presentations and Publications

- Sharon has lectured and written extensively on a wide variety of subjects, including developments in federal and Maine stormwater regulation, the environmental aspects of business and real estate transactions, brownfields remediation, the Maine Voluntary Remedial Action Program, and the Maine Uniform Environmental Covenants Act.

## Publications

September 18, 2017

**Environmental Alert: Bona Fide Prospective Purchaser Escapes CERCLA Liability**

*Environmental Alert*

May 25, 2017

**EPA Reconsidering Obama-Era Water Quality Standards It Set for Maine**

*Environmental Alert*

February 16, 2017

**Court Finds Consultant Not Liable to Prospective Purchaser Regarding ESA Performed for Lender**

*Environmental Alert*

January 3, 2017

**U.S. EPA Chooses Flexible Approach to Stormwater General Permit for Small Communities**

*Environmental Alert*

December 9, 2016

**Vapor Intrusion: EPA is Sharpening Its Focus**

*Environmental Alert*

April 19, 2016

**U.S. EPA Issues Final Storm Sewer General Permit for 260 Massachusetts Municipalities**

*Environmental Alert*

March 8, 2016

**Revised Permits for Small Municipal Stormwater Systems - Coming Soon to Massachusetts; New Hampshire Next in Line, with Maine Not Far Behind**

*Environmental Alert*

April 22, 2014

**Department of Housing and Urban Development Adopts Updated ASTM Standard**

*Environmental Alert*

January 6, 2014

**EPA Announces Approval of New Phase I Environmental Site Assessment Standard**

*Environmental Alert*

September 23, 2013

**Endangered Species Act Proposed Rulemaking**

*Environmental Alert*