

# BICKLAW<sup>LLP</sup>

exclusively environmental

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## ALAN BICK PARTNER

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# Biography

Alan N. Bick is the co-managing partner of Bick Law LLP. Alan is a former partner of Gibson, Dunn & Crutcher LLP where he practiced environmental law for over 25 years and was co-chair of the Environmental Practice Group. Alan has extensive experience in cost recovery actions under CERCLA, RCRA, and the state equivalents; defense of agency enforcement actions; mass and toxic tort defense; natural resource damage actions; CEQA, NEPA and ESA litigation. He also advises clients on environmental compliance issues and environmental audits, and provides legal advice on due diligence and allocation of risks in real estate and corporate transactions. Alan graduated from Stanford Law School in 1990. He earned his Bachelor of Arts degree in economics and government from Dartmouth College in 1983, graduating summa cum laude and Phi Beta Kappa. Prior to attending law school, Alan spent several years working on Wall Street in public finance.

## Education/Admissions

### Education

- Stanford Law School, J.D., 1990
- Dartmouth College, B.A. Economics & Government, summa cum laude, 1983

### Bar and Court Admissions

- State of California - 1990
- Central District of California
- Eastern District of California
- Northern District of California
- Southern District of California
- U.S. Court of Appeals for the Ninth Circuit

# Representative Matters

## Cost Recovery Actions

- Defended a multi-million dollar CERCLA claim in Oregon involving contaminated sediments in the Willamette River arising from a wide variety of industrial activity over a 100 year period;
- Defended a multi-million dollar State cost recovery claim in Alaska involving the remediation of a former cold war White Alice Communications System (WACs) facility owned by the United States Air Force;
- Defended a multi-million dollar State law cost recovery action in Southern California involving solvent contamination arising from manufacturing of printed circuit boards; and
- Prosecuted a multi-million dollar CERCLA contribution action against the United States based on government ownership and operation of a U.S. Navy shipyard in Seattle, Washington from World War II through the 1960s.

## Agency Enforcement Actions

- Defended a former aluminum industry client in a RCRA cleanup action in the State of Oregon involving both USEPA and the Oregon Department of Environmental Quality;
- Defended an aerospace manufacturing client in a large CERCLA/RCRA groundwater cleanup action in Southern California involving USEPA and RWQCB;
- Defended a former shipbuilding client in a large CERCLA action in Seattle, Washington involving USEPA;
- Defended an ordinance manufacturing client in a California RCRA action involving DTSC;
- Defended a manufacturing client in California involving allegations of civil and criminal violations of hazardous waste law;
- Defended a food industry client in a citizen suit in California alleging Clean Water Act violations of pre-treatment standards; and
- Defended numerous clients across a wide range of industries in California Proposition 65 actions.

## Natural Resource Damage Actions

- Defended a former aluminum industry client in Washington State against NRD claims by a tribal trustee;
- Defended a former shipbuilding client and a former aluminum industry client in Oregon against NRD claims by NOAA, DOI and state and tribal trustees;
- Defended a former shipbuilding client in a NRD action in Seattle, Washington involving NOAA, DOI and state and tribal trustees; and
- Defended a manufacturing client in a CERCLA NRD action arising at a third party landfill in the context of arranger/generator liability involving federal, state and tribal trustees.

## **Mass and Toxic Tort Defense**

- Defended a mass tort claim filed in Federal District court brought by persons claiming injury from radionuclides allegedly emitted by a Department of Energy nuclear weapons facility;
- Defended a "contaminated community" toxic tort case in Federal District court involving allegations of exposure to hexavalent chromium, PCE and TCE in air and groundwater;
- Defended a mass tort claim filed in California state court involving more than 3800 plaintiffs alleging personal injury and property damage for releases of solvents and metals from an aircraft manufacturing facility; and
- Represented aircraft servicing company in preparing for possible tort litigation relating to aircraft refurbishing operations and TCE contamination associated with an airport.

## **CEQA and NEPA Litigation**

- Prosecuted NEPA and CEQA actions against the United States Department of the Interior and California state and local agencies regarding the listing of the Stephens' Kangaroo Rat under the federal ESA;
- Prosecuted NEPA and CEQA actions against federal and state agencies arising from the multi-billion CALFED Bay-Delta Program's impacts on agricultural resources;
- Prosecuted CEQA action against a California county in connection with a proposed race track and related development; and
- Prosecuted a CEQA action against the State of California for the improper use of a categorical exemption in connection with the conversion of agricultural land to other uses.

## **Endangered Species Act**

- Prosecuted a federal ESA citizen suit against the United States Department of the Interior regarding the uplisting of the Delta Smelt;
- Represented farmers, ranchers and agricultural entities regarding the designation of critical habitat for the California Tiger Salamander;
- Defended a vineyard owner in a private enforcement action under ESA for an alleged take and destruction of habitat of the California Tiger Salamander;
- Prosecuted a federal ESA citizen suit against the U.S. Department of the Interior for failure to conduct a required five year status review;
- Intervened on behalf of farmers, ranchers, and agricultural entities in numerous federal ESA citizens suits brought by environmental groups;
- Represented clients on ESA issues arising in the context of CERCLA investigations and cleanups; and
- Prosecuted a federal ESA citizen suit claim against the USDOT for alleged statutory violations in connection with the listing of the Stephens Kangaroo Rat.

## **Real Estate and Corporate Transactions**

- Represented a lender in the funding of an acquisition of railroad assets;
- Represented owners in the sale of an aerospace company to a foreign entity;
- Represented a company in the long term lease of a multipurpose facility for location of the corporate headquarters and central distribution facility;
- Represented private equity firm in sale of ordinance manufacturer;
- Represented developer in purchase of movie studio; and
- Represented aerospace company in sale of rocket testing facility to federal and state natural resource agencies.

## **Publications**

- "A Fishy Default" Law360 (February 2012)
- "Protecting Trade Secrets In Nanotech Info Requests," Law 360 (April 2011)
- "California's Office of Environmental Health Hazard Assessment (OEHHA) Proposes New, More Stringent, Drinking Water Standard for Hexavalent Chromium," Gibson Dunn and Crutcher

Blog (August 2009)

- "Damaged Before Repair," Los Angeles Daily Journal (June 2009)
- "U.S. District Court for the District of New Mexico Affirms "But For" Test Is Required to Prove Causation in Toxic Tort Lawsuit," Gibson Dunn and Crutcher Blog (November 2008)

## Insights

- California's Third District Court of Appeal Affirms State Water Board's Authority To Regulate Unreasonable Use of Water During Severe Drought
- State of California Sues Trump Administration To Save The Chinook Salmon
- DOT Releases One National Program Rule; EPA Revokes California's CAA Waiver for Vehicle Emissions
- Trump Announces That EPA Will Revoke California's Clean Air Act Waiver