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SOLID WASTE MANAGEMENT EXPERIENCE

- Mr. Everett has represented clients in obtaining federal, state and local permits for new solid waste management facilities including municipal solid waste (MSW) landfills, ash mono-fills, MSW transfer stations, construction and demolition debris (C&D) transfer stations, composting facilities and recycling materials recovery facilities (MRFs). He has successfully defended litigation challenging such permits.
- Mr. Everett has handled all aspects of SEQRA compliance related to the siting of new solid waste management facilities or the expansion of existing facilities. He has represented clients in preparing negative declarations and draft and final environmental impact statements (DEIS) under SEQRA to address the following environmental issues, among others: wetlands, truck traffic, dust, odors, litter, noise, lighting, leachate control, endangered species, archeology, community character, methane flaring, etc.
- Mr. Everett has prepared and negotiated host community benefit agreements on behalf of State authorities and local governments related to the siting of new MSW landfills and solid waste management facilities.
- He has conducted all aspects of environmental due diligence reviews for private equity companies related to the acquisition of MSW carting companies (including one of the largest private carters in New York City), transfer stations, MRFs, rail waste terminals and medical waste incinerators.
- Mr. Everett has represented governmental clients in the legal aspects of preparing solid waste management plans and amendments thereto including SEQRA compliance.
- He has prepared flow-control laws and recycling laws for county resource recovery agencies. He has successfully defended litigation challenging the constitutionality of flow-control laws.
- He has represented clients in complying with the ever-expanding regulations for regulated medical waste ("RMW") incinerators and the transportation and storage of RMW.
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- Mr. Everett has represented clients in all aspects of NYSDEC enforcement proceedings related to violations of New York State's solid waste management laws and regulations. On behalf of private companies, he has negotiated numerous consent orders with the NYSDEC to settle potential civil violations of these laws and regulations.
- He represented a State public authority in a NYSDEC administrative proceeding challenging the siting of a new MSW landfill along the New York State canal system. He successfully negotiated project changes to reduce potentially adverse impacts of the new landfill on users of the State's canal system.
- He has represented private clients in applying for and obtaining beneficial use determinations ("BUDs") from NYSDEC for the beneficial reuse of solid waste.
- On behalf of commercial and residential real estate developers, Mr. Everett has obtained NYSDEC permits to redevelop and reuse old MSW landfills for shopping malls, townhomes and other commercial and residential end-uses.
- Mr. Everett has advised private clients in complying with NYSDEC's land application regulations regarding the application of bio-solids (sewage sludge) on agricultural fields.
- Mr. Everett has represented governmental clients in the legal aspects relating to the closure of old municipal landfills.
- Mr. Everett has successfully represented private clients in litigation opposing the siting of regional MSW landfills, transfer stations and C&D debris landfills.
- He has represented governmental and private clients in compliance with all aspects of NYSDEC's Part 360 regulations relating to solid waste management.