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DUANE A. SILER

SENIOR COUNSEL

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PRACTICES

- Chemicals
- Environment, Energy & Resources
- Toxic Tort Litigation
- Litigation & Trial

Duane Siler advises clients in the energy and natural resource industries on matters involving project-related environmental requirements. He assists in obtaining workable state and federal environmental authorizations and defends those permits when challenged in administrative or judicial forums, including before USEPA's Environmental Appeals Board. Mr. Siler has particular experience in the application of hazardous waste laws to oil and gas exploration and production facilities, and he works with companies operating on-shore and off-shore to solve environmental compliance problems.

Mr. Siler has substantial litigation experience in environmental cases arising under CERCLA, RCRA, the Oil Pollution Act, and the common law, and has served as trial counsel in defending against multi-million dollar claims for response cost and cleanup actions. He also negotiates and defends civil enforcement actions on behalf of industrial clients and provides compliance counseling under a broad range of federal and state environmental laws.

Mr. Siler advises clients concerning environmental aspects of transactions. He has experience with transfers of manufacturing facilities, mining operations, and commercial properties. He represents buyers and sellers of contaminated property, working with clients and their consultants to identify, assess, and manage potential liabilities arising under CERCLA and state cleanup laws. Mr. Siler handles all aspects of due diligence regarding environmental liabilities in transactions, including use of environmental management and auditing tools to help inform asset purchasers about the compliance status of manufacturing operations under federal and state air and water pollution control laws, as well as transfers of environmental authorizations and permits.

Representative Matters:

- *In re Swanson Creek Oil Spill*, No. PJM-00-1429 (D. Md.): lead counsel for defendant company in litigation and settlement of class action under Oil Pollution Act arising out of oil spill to Patuxent River; also lead counsel for company in negotiated settlement of federal and state claims for Natural Resource Damages.
- Offshore Alaska Project: Conducted emergency confidential investigation and assessment of potential environmental violations.
- Onshore Alaska Project: Successfully obtained Mineral Management Service agreement to tailor environmental restrictions that would otherwise prevent exploration of oil and gas lease.
- *Westfarm Associates L.P. v. International Fabricare Institute*, No. HM 92-9: Lead trial counsel for defendant association in precedent-setting CERCLA case in which client successfully asserted contribution claim against public sewer authority for contamination from leaking sewer.

Admissions/Affiliations

Admitted to practice: District of Columbia, U.S. District Court for the District of Maryland

Professional Affiliations
District of Columbia Bar, Environment, Energy and Natural Resources Section
District of Columbia Bar, Litigation Section

Education

- University of Colorado, B.A. (1971)
- Duke University, M.A. (1973)
- University of California, Berkeley, School of Law, J.D. (1978) Order of the Coif