



Tom Boer

Partner

San Francisco

Biography

Clients turn to Tom Boer for his insightful strategies and deep industry knowledge to help resolve alleged environmental disputes.

With a combined decade of experience working as a trial lawyer at the U.S. Department of Justice (DOJ) Environmental Enforcement Section and in the Environmental Protection Agency's (EPA) Office of General Counsel, Tom uses his government experience to effectively counsel clients as they navigate complex environmental enforcement actions and compliance issues.

Tom represents companies, municipal utilities, and individuals in federal and state environmental litigation, in defense of environmental enforcement actions and citizen suits, in response to catastrophic environmental emergencies and chemical releases, and in connection with site cleanup and cost recovery. He has advised clients on the vast array of environmental statutes in the U.S. including the Clean Air Act; Resource Conservation and Recovery Act; the Clean Water Act; the Endangered Species Act; the Oil Pollution Act; the Federal Insecticide, Fungicide, and Rodenticide Act; and the Comprehensive Environmental Response, Compensation, and Liability Act.

As a partner in our Environment and Natural Resources



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Practices

Environment and Natural Resources

Energy Disputes

Climate Change

Industries

Energy and Natural Resources

Areas of focus

Environmental Litigation

Clean Water Act

Clean Air

Natural Resource Management

practice area, Tom has deep ties to both the energy and government sectors in California. He has extensive experience assisting clients with the navigation of California environmental regulations including responding to information requests, Cleanup and Abatement Orders, and Cease and Desist Orders issued by the Regional Water Quality Control Boards and resolving enforcement actions brought by California regulatory agencies.

Recognized for his Environment practice by *The Legal 500 United States* and *Chambers USA*, clients describe Tom as, "a strong lawyer in incident response and remediation issues; he's very knowledgeable and has a good perspective on how the government will view a matter."

Prior to joining Hogan Lovells, he spent 12 years in private practice.

Representative experience

Represented California utility in response to a Clean Water Act and Resource Conservation and Recovery Act (RCRA) citizen suit filed in the Northern District of California.*

Represented a client in response to a fire incident at a waste transfer station and recycling facility resulting in an Air District investigation.*

Represented an industrial facility in response to a threatened levee breach.*

Represented an oil services company in response to a tanker truck incident resulting in the release of a hazardous substance on an interstate freeway.*

Advised a client on ongoing compliance and auditing requirements related to the operation of a pipeline across waters of the U.S. following a release incident.*

Pursued cost recovery in federal district court against former owners and operators for a chlorinated solvent

Education and admissions

Education

J.D., The George Washington University Law School, with honors, 1998

B.A., Occidental College, cum laude, 1995

Memberships

Member, ABA Section of Environment, Energy, and Resources Environmental Enforcement and Crimes Committee (Programs Vice-Chair 2018-2020, At-Large Vice Chair and Social Media Vice Chair 2017-2018, At-Large Vice Chair 2016-2017)

Member, Environmental Law Institute Leadership Council

Authorized User, Chemical-terrorism Vulnerability Information, U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency

Bar admissions and qualifications

California

District of Columbia

Court admissions

U.S. District Court, Northern District of California

cleanup associated with various industrial operations.*

Provided compliance evaluation and advice to an industrial facility related to Spill Prevention, Control, and Countermeasure (SPCC) and Facility Response Plan (FRP) requirement.*

Advised client on a Title V Clean Air Act permit and the expedited repermitting of out of compliance equipment.*

Represent a large West Coast municipality in response to a significant Clean Water Act enforcement action being pursued by the United States.

Represented clients on resolving liabilities associated with catastrophic environmental incidents, such as an ammonia release in South San Francisco and an ethanol tank explosion in the North Bay.*

*Matter handled prior to joining Hogan Lovells.

U.S. District Court, Eastern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Ninth Circuit

Awards and rankings

- Environment (California), *Chambers USA*, 2019-2020
- Environment: Litigation, *Legal 500 US*, 2019-2020
- Environment: Regulation, *Legal 500 US*, 2017-2020

Latest thinking and events

- Webinar
 - Coffee and Compliance: A Legal Perspective on Environmental Compliance
- Webinar
 - Clean Water Act Citizen Suits: Defense Litigation and Settlement Strategies
- Webinar
 - Environmental Law Institute's Seventeenth Annual Western Boot Camp on Environmental Law®
- Hogan Lovells Events
 - A bipartisan view of the 2020 U.S. election results

and its impact on U.S. policy

- Sponsorships and Speaking Engagements
 - Managing the risk of hazardous materials and SPCC compliance
- Press Releases
 - Hogan Lovells adds environmental litigator Tom Boer to the San Francisco office