



## Robert R. Tyson

### Member

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### Profile

**Bob is chair of the firm's property department and the firm's environmental and energy practice.**

His practice includes New York State and federal regulatory compliance, environmental enforcement and litigation and environmental issues in business and property transactions. Bob advises clients on Title V and New Source Review and Prevention of Significant Deterioration permit requirements, requirements under the Climate Leadership and Community Protection Act, SPDES and stormwater permit requirements, petroleum and hazardous substance storage and release reporting, SEQRA and environmental impact review, solid and hazardous waste management, asbestos compliance, remediation, Brownfield redevelopment, and compliance with RMP requirements, EPCRA and TSCA. Bob also counsels clients regarding Occupational Safety & Health Administration and Food & Drug Administration compliance obligations

Bob assists clients with implementing, enhancing and evaluating environmental compliance programs through development and review of environmental policies and protocols, environmental training programs and environmental compliance audits. He also counsels clients regarding contractual allocation of environmental liabilities related to the purchase and sale of businesses and property. He focuses his litigation practice on the prosecution and defense of claims arising under CERCLA, the New York State Navigation Law and SEQRA. Bob has represented clients in administrative enforcement proceedings commenced by the New York State Department of Environmental Conservation, U.S. Environmental Protection Agency, Occupational Safety & Health Administration, New York State Department of Labor and the U.S. Department of Transportation, and resolved proceedings through negotiation of consent decrees and administrative orders on consent.

Bob also advises clients regarding energy issues, including renewable project development (wind, solar and landfill gas), power purchase agreements and the siting of generation facilities, transmission lines and pipelines.

Bob has served as a guest lecturer in environmental law courses at the Syracuse University College of Law, and has made numerous presentations on environmental topics to industrial, trade and municipal organizations.

### Representative Matters

### Education

- Albany Law School (J.D., *cum laude*, 1993)
- Hartwick College (B.A. 1986)

### Bar/Court Admissions

- New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

### Practices

- School Law
- Municipalities
- Manufacturing
- Higher Education
- Toxic Tort and Environmental Litigation
- Property
- OSHA
- Environmental and Energy

Bob's clients include manufacturers and fabricators throughout New York State, particularly in the metal, electronics, chemical and printing industries, colleges and universities, hospitals, developers, municipalities, school districts and energy providers. Recent matters have included:

- Counsel to leading manufacturer of beauty products relating to development of on-site wind turbine power generation.
- Negotiation of federal consent decrees in U.S. Environmental Protection Agency Clean Water Act (Combined Sewer Overflow) and Clean Air Act (Title V and Prevention of Significant Deterioration) enforcement proceedings.
- Providing strategic counsel to numerous clients regarding the voluntary disclosure of environmental violations under the EPA Audit Policy.
- Representation of Potentially-Responsible Parties in CERCLA private-party and governmental plaintiff litigation.
- Serves as General Counsel to rural electric cooperative.

## Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Environmental Law, 2013-2024 (listed for more than 10 years)
    - Lawyer of the Year (Syracuse), Environmental Law, 2016
  - *Chambers USA 2024*, Environmental – Upstate New York
  - *New York Super Lawyers*®, Environmental, 2023
- American Bar Association, Section of Environment, Energy and Resources
- New York State Bar Association, Environmental and Energy Law Section, Executive Committee; Co-Chair of the Air Quality Committee
- Member, Former Officer and Former Director, Central New York Chapter of the Air & Waste Management Association

## Representative Presentations

- Lautenberg Chemical Safety Act / EPA Update, New York State Chemical Council 2017 Annual Policy and Legislative Meeting, January 24, 2017
- Navigating Environmental Due Diligence: Legal Considerations, New York State Commercial Association of Realtors, 2016
- Legal Perspective: Emerging EHS Issues, MACNY Safety & Environmental Health Council, 2015
- Outgreening for Economic Advantage, Strategies Beyond NetZero, Central New York Air & Waste Management Association, 2011
- What Every Lawyer Should Know About Climate Change Law and Sustainability, In-Firm Presentation, 2009
- Regulatory Approvals, Implications & Economic Development Incentives for Renewable Energy, Rochester/Genesee Finger Lakes Region Task Force, 2009

## Representative Publications

- "Obtain Financial Assistance to Install Solar and Wind Energy Systems," *Central New York Business Journal*, May 2, 2014

## Other Activities

- Advisory Board Member, Onondaga Lake Conservation Corps
- Former President, Board of Directors, Contact Community Services, Inc., 2009-2012
- Former President, Board of Directors, Mental Health Association of New York State - CNY Chapter, 2010-2012
- Former Member, Board of Directors, Onondaga Historical Association, 2004-2012
- Former Board of Trustees, Albany Law School of Union University National Alumni Association