

Claudia K. Powers

Portland, Oregon
Special Counsel

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Areas of Practice & Industry Specialties

Environmental Law Practice; Energy & Natural Resources Law



Claudia K. Powers is a member of Buchalter's Energy & Natural Resources Practice Group in the Firm's Portland office. Ms. Powers' clients include, among others, international chemical, steel pipe and industrial gases corporations, light and heavy industries, municipalities, electric power producing companies, and a regional water resource management facility that produces fertilizer from waste water.

Ms. Powers is recognized in *Chambers USA* and *Best Lawyers in America* for her expertise in Environmental Law. Her background and experience in energy, sustainability, and environmental law makes Ms. Powers one of the most sought after attorneys for complicated superfund, natural resources, and contaminated property redevelopment projects. Currently, she is working on the redevelopment of industrial property inside the Portland, Oregon Urban Growth Boundary, a project involving public and private cooperation with the Oregon Business Development Department's Brownfields Program and the Oregon Department of Environmental Quality. She is also working with public and private parties to redevelop former mill and plywood sites in Southern Oregon and Central Washington.

Ms. Powers is the lead environmental attorney for an international steel pipe manufacturer, assisting the company in acquisitions, cleanup and sales of industrial property, as well as regulatory permitting and compliance matters. Ms. Powers is also a skilled negotiator with broad problem-solving experience. She negotiated one of the state's first pre-purchaser agreements for the transfer and cleanup of contaminated property. Ms. Powers has negotiated a variety of transactions and complex liability allocation agreements. She headed the environmental strategy team in one of the region's most unusual bankruptcy cases involving environmental liability. Ms. Powers has worked extensively with local, state, and federal regulators to successful effect for over 30 years.

Ms. Powers has also been recognized as one of the *Best Lawyers in America*, Environmental Law and Natural Resources Law, for 2023.

Publications

- Environmental Audits. *The Oregon Deskbook on Environmental and Natural Resources Law*
- Brownfields: Redeveloping Contaminated Lands. *The Oregon Insider*
- Asbestos. *The Oregon Deskbook on Environmental and Natural Resources Law*
- Environmental Law in Oregon. *Oregon Legal Guide for International Business*

Representative Matters

- Represents industrial clients in waterfront property cleanup and redevelopment related to historical and ongoing releases of hazardous substances at state and federal superfund sites.
- Represents clients in the Lower Duwamish Waterway Superfund Site.
- Chaired the Potentially Liable Party group for one of the first state and federal superfund sites in Oregon.

- Serves as environmental counsel to industrial clients on source control matters to identify and, if necessary mitigate or eliminate sources of contamination by riparian property owners.
- Represented clients in federal superfund sites in five states, including negotiations with Indian Tribes for natural and cultural resources analyses.
- Environmental counsel to an inner-city private property owner of a former manufacturing facility on an impaired waterway. Investigated historical impacts from plant operations, secured financing from a state agency, and negotiated a consent judgment.
- Represents clients in property transactions, including cleanups under various state voluntary cleanup programs that arise from due diligence reviews.
- Served as lead environmental counsel to the second largest utility in Alaska to bring a clean coal project out of warm layup. Conducted negotiations with myriad state and federal agencies and state and national environmental groups, negotiated a consent decree with the US Department of Justice on behalf of the US Environmental Protection Agency (“EPA”) in six months.
- Represents clients regarding state and federal Clean Water Act compliance in a number of states.
- Successfully defended Clean Water Act Citizen Suit challenges for clients in Oregon, Washington and Texas.
- Represents clients in initiating and conducting environmental audits under both federal and state audit privileges.
- Served as lead environmental counsel for a client in all aspects of the acquisition and operation of a 100 year old shipyard.
- Served as lead environmental counsel on a \$90 million pulp and paper mill upgrade and recycling project, and development of a co-generation facility to convert manufacturing steam into electrical power to operate the facility.

Publications

- Buchalter Client Alert COVID-19: Environmental Compliance during COVID-19 (Hint: EPA did not Suspend Environmental Laws), *Buchalter Client Alert*, April 3, 2020

Presentations

- Speaker, "Brownfields Effects on Waterfront Redevelopment from the Intersection of Endangered Species Act and Contaminated Sediments," Law Seminar International Conference on Brownfields & Smart Growth in the Pacific Northwest, May 16, 2016
- Speaker, "Understanding Contaminated Harbor and River Sediment — Analysis and Interpretation," University of Wisconsin Seminar, in cooperation with the Oregon Department of Environmental Quality, January 1, 2016

Education

Ms. Powers earned her J.D. from Northwestern School of Law, Lewis & Clark College in 1982 and her B.S. from University of Oregon.

Bar Admissions

- Oregon
- Washington

Community

- Oregon State Bar, Environmental and Natural Resources Law Section
- Oregon State Bar, Sustainable Future Section

- Washington State Bar Association, Environmental and Land Use Law Section
- American Bar Association, Natural Resources Section
- Multnomah Bar Association
- Commissioner of first City of Portland Energy and Environment Commission