

Danelle Gagliardi

Senior Associate

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About Danelle

Danelle Gagliardi delivers tailored solutions to clients on environmental, health and safety issues. Her clear and practical counsel on complex environmental statutes and regulations is rooted in her experience growing up working in a family construction business. Danelle's global practice encompasses regulatory counseling and risk management, defending parties in high-stakes environmental litigation, and negotiating complex environmental transactions. She frequently publishes articles in industry journals and has been recognized by regional and national legal organizations for her top-tier work in environmental law.

Danelle advises domestic and global clients in a host of industries under state and federal environmental statutes, including the Toxic Substances Control Act (TSCA), Clean Air Act (CAA), Clean Water Act (CWA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Endangered Species Act (ESA) and California's Proposition 65. She has specific expertise in the areas of sustainable energy development, compliance with recycling and packaging laws (such as Extended Producer Responsibility (EPR) laws), supply chain management, the evolving landscape of consumer product liability laws including the sale of cannabis and hemp products, chemicals safety and brownfield redevelopment. She also has substantial experience defending industrial clients in toxic tort class actions.

Danelle has authored articles featured in international publications, such as the *China Business Law Journal*, *Australasian Dispute Resolution Journal* and *Law360*, and spoken at international conferences on regulatory trends. Danelle sits on the Board of the Association of Women in the Metal Industries – Columbus Chapter and is active in the Columbus Legal Aid Society.

Prior to joining the firm, Danelle interned for Judge Jeffrey S. Sutton on the US Court of Appeals for the Sixth Circuit and obtained a Master of Laws from the University of Queensland, T.C. Bierne School of Law in Australia. While in Australia, she worked with the Dow Centre for Sustainable Engineering on an investment project related to the storage of spent nuclear waste.

Experience

- Advising one of the country's largest renewable energy developers on permitting and environmental diligence aspects for the financing of solar and wind farms across the US.

- Defending a Fortune 500 industrial client in a nuisance class action associated with alleged odors and air emissions.
- Guiding companies in multiple sectors (including food, fashion accessories, cosmetics, tools, automotive, and hemp products) doing business in California on Proposition 65 compliance, in addition to compliance with Extended Producer Responsibility laws and other recycling laws.
- Representing a renewable energy development company before the Ohio Power Siting Board to successfully obtain certification for one of the largest solar generation facilities to be built in the state of Ohio.
- Successfully defending international clothing brand in California Proposition 65 notice of violation matter, resulting in no monetary penalties and withdrawal of claim.
- Negotiating the acquisition of a US chemicals facility on behalf of a global chemicals company in South Korea.
- Counseling one of the country's leading developers of large, complex, mixed-use projects on property redevelopment matters related to environmental covenants and Ohio EPA's Voluntary Action Program.
- Successfully resolving a potential enforcement action against a cannabis/CDB product manufacturer.
- Counseling a Fortune Global 500 company on groundwater and soil remediation of a historically contaminated property in California.
- Successfully defending a landfill client in an odor nuisance class action in the state of Ohio.
- Counseling all aspects of the TSCA Section 8(a)(7) reporting rules applicable to PFAS compounds.
- Assisting in the transfer of permits for a private equity fund's US\$755 million acquisition of an engineering, procurement and construction corporation that provides services in the nuclear power industry to federal and state governments.
- Facilitating internal TSCA compliance investigations for a specialty chemicals company, resulting in the voluntary disclosure of identified concerns.
- Representing state chamber and trade organizations in filing an amicus brief before the US Supreme Court in *U.S. Army Corps of Engineers v. Hawkes Co. Inc., et al.*, No. 15-290 (U.S. 2016), where the court adopted our position finding that jurisdictional determinations are final, agency action subject to appeal.
- Litigating novel action against the US EPA to enforce compliance with Clean Air Act Section 321(a), which requires evaluation of losses and shifts of employment, on behalf of the largest coal producer in the US.

Credentials

Education

- The University of Queensland, LL.M., 2015
- Washington University, J.D., Executive Articles Editor, *Washington University Global Studies Law Review*, 2015
- The Ohio State University, B.A., *magna cum laude*, 2012

Admissions

- Ohio, 2015

Courts

- U.S. Ct. of App., Fourth Circuit
- U.S. Dist. Ct., S. Dist. of Ohio
- U.S. Dist. Ct., E. Dist. of Michigan

Memberships & Affiliations

- Board Member, Association of Women in the Metal Industries – Columbus Chapter
- Council Member at Large, Ohio State Bar Association – Environmental Section
- Member, Ohio Chamber of Commerce Energy & Environment Committee
- Member, Ohio State Bar Association
- Volunteer Attorney, Columbus Legal Aid Society

Recognitions

- *Best Lawyers: Ones to Watch in America*, Environmental Law in Ohio, 2023-2026
- Recognized as a Rising Star in Ohio for Environmental law by *Super Lawyers*, 2021-2025
- Environmental Moot Court Champion, Washington University, 2015
- Excellence in Oral Advocacy Award, Washington University, 2013

Expertise

Services

- Environmental, Safety & Health

Publications & Speaking Engagements

Publications

- Co-author, "A Big Prop 65 Victory for Chemical Industry in Monsanto Case," *Law360* Expert Analysis, July 17, 2020.
- Co-author, "China's Pollution War," *China Business Law Journal*, June 10, 2018.
- Author, "Mediation in the Coal-Seam Gas Industry: Improvements Made for Local Stakeholders to Grant a Social Licence," *Australasian Dispute Resolution Journal*, Vol. 27:2, 2016.
- Author, "Made in America: Why the Shale Revolution in America is Not Replicable in China," *Washington University Global Studies Law Review*, Vol. 14:1, 2015.

Speaking Engagements

- Presenter, "Regulatory Trends in the US: California's Proposition 65 and New York Flame Retardant Ban," Chemical Watch Conference on Chemicals Management for Electronics in Europe, July 12, 2022.
- Interview, "Importers Advised to Prepare for China's New Pollutants Lists," Chemical Watch, October 19, 2022.
- Interview, "Landing Your Dream Job & Connecting with Influencers in Your Field," The Powerful Mind Podcast, October 30, 2017.

Blogs

- Author, "From Farm to Table: How the Supreme Court's Pork Ruling Impacts States' Rights and Doing Business in California," *frESH Law Blog*, June 7, 2023.
- Author, "China Publishes Draft List of Key New Pollutants under Pollutant Control Action Plan," *frESH Law Blog*, October 21, 2022.
- Author, "Prop 65 Regulatory Update for the Cannabis Industry: Tailored Warnings Become Effective October 1, 2022 with a 1-Year Grace Period for Compliance," *frESH Law Blog*, September 22, 2022.
- Author, "China's New Pollutant Control Action Plan: A Focused Plan that Could Impact the Chemical Industry Outside of China," *frESH Law Blog*, June 23, 2022.
- Co-author, "Prop 65 Regulatory Update for the Food & Cannabis Industry: OEHHA Proposes Specialized Warnings for Exposures to Acrylamide from Food & Exposures to Smoke from Cannabis/THC Products," *frESH Law Blog*, October 15, 2021.
- Author, "WARNING: California Prop 65 Enforcement of THC Listing from CBD Products Became Effective January 3, 2021," *frESH Law Blog*, January 12, 2021.
- Co-author, "Prop 65 Victory for Chemical Industry in Monsanto Case Has Been Appealed," *frESH Law Blog*, September 25, 2020.
- Author, "US EPA Issues Best Practices for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools and Homes," *frESH Law Blog*, May 8, 2020.
- Co-author, "California Prop 65 Amendments on Responsibility to Warn Are Effective on April 1, 2020," *frESH Law Blog*, March 31, 2020.
- Author, "Why Are We Still Talking About California Prop 65," *frESH Law Blog*, August 16, 2019.
- Author, "Springtime Showers Brings State Legislation in the US Friendly to Solar and Wind Energy," *frESH Law Blog*, May 14, 2019.
- Co-author, "Latest News and Perspectives on California Prop 65," *frESH Law Blog*, January 10, 2019.
- Co-author, "Warning: One Month Left Before New Prop 65 Regulations Become Operative on August 30, 2018," *frESH Law Blog*, August 3, 2018.
- Co-author, "Warning: Only 6 Months Left Before New Prop 65 Regulations Become Operative on August 30, 2018," *frESH Law Blog*, March 2, 2018.
- Author, "US EPA's Superfund Task Force Recommendations May Expedite Cleanup and Reuse Process for Contaminated Sites," *frESH Law Blog*, October 17, 2017.
- Co-author, "Warning: Only One Year Left Before New Prop 65 Regulations Become Operative On August 30, 2018," *frESH Law Blog*, August 30, 2017.
- Author, "D.C. Court Gives US EPA 3 Years to Update National Emission Standards for Hazardous Air Pollutants," *frESH Law Blog*, April 14, 2017.
- Author, "One Year Later: The Clean Power Plan," *frESH Law Blog*, October 31, 2016.
- Co-author, "Deadline for TSCA Chemical Data Reporting Extended to October 31, 2016," *frESH Law Blog*, September 29, 2016.
- Co-author, "US Supreme Court Rules Against the Corps and in Favor of Landowners With Respect to the Reviewability of Jurisdictional Determinations, Reserving for Another Day the Full Scope of Finality under the Administrative Procedure Act," *frESH Law Blog*, June 1, 2016.
- Co-author, "A Short History of Clean Power Plan Litigation as of March 2016," *frESH Law Blog*, March 30, 2016.

- Co-author, "How Challengers Obtained the Stay that Put US EPA's Clean Carbon Plan on Hold," *frESH Law Blog*, February 10, 2016.
- Author, "US EPA's Clean Carbon Plan Finally Published, Challengers Immediately File Suit and Motions for a Stay," *frESH Law Blog*, October 23, 2015.
- Co-author, "US EPA Finalizes Revisions to Ozone National Ambient Air Quality Standard," *frESH Law Blog*, October 2, 2015.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.