



## Peter H Weiner

Partner, Real Estate Department  
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### San Francisco

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### Practice Areas

Oil and Gas  
Real Estate  
Environment and Energy  
Land Use  
Energy  
Government Affairs

### Admissions

California Bar

### Education

Harvard University, B.A. 1966  
Yale Law School, LL.B. 1970

**Peter H. Weiner** heads the Environment and Energy practice of Paul Hastings. He splits his time between San Francisco, Los Angeles, and Sacramento. Mr. Weiner represents renewable energy companies, real estate developers, manufacturers, and consumer products companies in federal, state and local environmental, energy and OSHA regulatory matters, litigation and legislation. **Energy Law:** Mr. Weiner's energy practice includes representation of solar energy, wind, geothermal, and biomass companies before the US Fish and Wildlife Service, CA Department of Fish and Wildlife, Bureau of Land Management, California Energy Commission, CPUC, and county land-use regulators. Mr. Weiner has represented eight utility-scale solar energy companies with over 8000 MW and \$30B in proposed projects, including successful litigation against permit challenges, and continues to represent new projects in the pipeline. **Environmental Law: Regulatory and Transactional issues:** Mr. Weiner's broad environmental practice focuses on species and wilderness protection, "brownfields" development, California Environmental Quality Act and NEPA (environmental impact reports), land use, Superfund, Clean Water Act, Clean Air Act, hazardous waste management, Proposition 65, and environmental insurance. As the former Special Assistant to the Governor (Jerry Brown) for Toxic Substances Control, Mr. Weiner has been involved in these areas for over 35 years. **Litigation:** He has successfully represented clients in Endangered Species Act, NEPA, CEQA, Superfund, and Proposition 65 litigation. He has also represented clients before regulatory agencies at every level of government. **Legislation:** Mr. Weiner has achieved significant legislative victories and regulatory changes to promote renewable energy, brownfields development, and hazardous waste recycling. **OSHA and Prevailing Wages:** Mr. Weiner's OSHA practice is national in scope, including representation of employers in California, New York, North Carolina, Georgia, Kansas, Colorado and Washington, to name a few. Mr. Weiner was at one time an official with responsibility for the California OSHA program and taught federal OSHA law for seven years. Mr. Weiner also represents California businesses on prevailing wage matters.

## Peter H Weiner (Continued)

### Recent Representations

#### Energy

- Represented Solar Energy Industries Association, Large-Scale Solar Association, and Center for Energy Efficiency and Renewable Technologies before BLM and other Department of Interior Agencies re PEIS development, Application Processing, Mitigation, Rents, and other issues
- Represented and represent First Solar, SunPower, Recurrent, Abengoa, LS Power, 8 Minute Energy, and other solar companies on environmental, land use, and energy permits and approvals on utility-scale solar energy projects totaling 8000MW in CA, NV, and AZ. Continuing representation in litigation, CAISO, CPUC, CEC, FWS, and other venues
- Represent Starwood Energy on Ten West Link transmission line between AZ and CA
- Represented large geothermal power company on environmental and energy issues before California Energy Commission, California Independent System Operator, Department of Toxic Substances Control, etc. re operation of existing and construction of new geothermal energy production facilities (Imperial County, California)
- Represented NextEra Energy in litigation and regulatory proceedings regarding Altamont Wind Energy facility
- Represent Covanta and other biomass companies in enforcement and permitting proceedings
- Represent cogeneration companies on GHG and other issues

#### Development of Contaminated Property for Private Sector and Public Use

- Represented purchaser of closed 157-acre hazardous waste landfill (Cal-Compact) in obtaining prospective purchase agreement and judicial consent decrees from state, EIR for development of residential and retail mall; and Cal-EPA agreement to allow development during clean-up (Carson, California)
- Represent owner of former landfill in Southern California in obtaining approvals to convert site to Porsche “driving experience” facility
- Represent developers purchasing or leasing former landfills for residential or commercial use

#### Species Protection and Land Conservation

- Representation of The Nature Conservancy on several matters, including advocacy for avoidance/minimization/mitigation hierarchy
- Acquisition of Non-Purposeful Take Permit (Golden Eagles) in construction of solar facility
- Acquisition of Low Effect Habitat Conservation Plans for solar facilities

## **Peter H Weiner** (Continued)

- Representation of Sequoia ForestKeeper in litigation against federal government
- Representation of various companies in obtaining Incidental Take Permits (CA Dept. of Fish and Wildlife)
- Negotiation of large Conservation Easement with national land trust
- Successful defense of FWS Biological Opinion in U.S. District Court
- Representation of land trust in negotiations with surrounding land owners
- Representation of Large-scale Solar Association in Desert Renewable Energy Conservation Plan
- Representation in passing Advanced Mitigation and In Lieu fee law for certain solar projects

### **Treatment and Recycling**

- Represented major hazardous waste recycling and disposal facilities, including used oil recyclers, landfills, transfer facilities, etc. in obtaining and modifying permits, enforcement activities, EIRs (including successful defense in litigation), and community relations (Compton, Santa Fe Springs, Richmond, Chula Vista Emeryville, Los Angeles, Orange, Bakersfield, East Palo Alto)

### **Clean-up of Contaminated Property, Including Litigation**

- Represent City of Rialto, CA in litigation and negotiations with Responsible Parties which contaminated City's groundwater
- Represented Union Pacific Railroad Company regarding remediation of large former railyard facility
- Represent The Boeing Company with regard to remediation of several former aerospace facilities

### **Water Quality**

- Represent The Boeing Company before LARWQCB regarding Santa Susana Field Laboratory Clean Water Act and Porter-Cologne issues. Also with regard to other properties in the Region
- Represent oyster growers in permitting and litigation matters

### **Air Quality**

- Represented large chemical company in obtaining Title V permit from Bay Area AQMD and other air matters
- Represented biomass company in EPA enforcement matter
- Represent electricity generators on cap and trade issues before CARB
- Represented facility in SF6 enforcement proceeding before CARB

### **Proposition 65**

- Represent major chemical and manufacturing companies in regard to listing

## Peter H Weiner (Continued)

issues and various claims filed by plaintiffs regarding environmental, consumer product, and work place exposures. (Details available.)

### **OSHA**

- Represent companies in defending against alleged violations and compliance counseling re federal and State OSHA programs. Clients include bakeries, crane maintenance companies, universities, telecommunications, waste management, dialysis clinics, movie production, software, and various other employers. (Details available.)

### **Accolades and Recognitions**

- Consistently recognized for California Environment by Chambers USA

### **Professional and Community Involvement**

- Admitted to the California bar, various federal courts in California, and the U.S. Supreme Court.
- Served in various capacities in California State government from 1975 until 1983, including Special Assistant to Governor Jerry Brown for Toxic Substances Control and Chief Deputy Director of the Department of Industrial Relations, which includes the California/OSHA and prevailing wage programs. As Special Assistant to Governor Brown, participated in drafting more than 25 of the state's basic environmental laws, including the State Superfund law.
- Appointee to the Unified Environmental Statute Commission
- Served on the External Advisory Committee to the Director of the Department of Toxic Substances Control
- Served on the DTSC Brownfields Revitalization Advisory Group
- Served on the Statewide Advisory Committee to the University of California Center for Occupational and Environmental Health
- Board member of several nongovernmental environmental organizations, including the California State Parks Foundation, Coalition for Clean Air, and Citizens for East Shore Parks

### **Education**

- Yale Law School, LL.B., 1970 (Member, Yale Law Journal)
- London School of Economics, M.A., 1967 (Knox Scholar)
- Harvard University, B.A., 1966 (magna cum laude, Phi Beta Kappa)

### **News**

**May 01, 2019**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA

## Peter H Weiner (Continued)

2019

### **May 11, 2018**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2018

### **June 05, 2017**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2017

### **June 08, 2016**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2016

### **May 20, 2015**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2015

### **May 27, 2014**

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA  
2014

### **June 05, 2013**

Paul Hastings Extensive Practice Strength Highlighted in The Legal 500 United  
States 2013

### **May 27, 2013**

Paul Hastings Employment Practice Honored with Chambers "Award for  
Excellence" and Firms Leading Practices and Lawyers Ranked in Chambers  
USA 2013

### **December 06, 2012**

Paul Hastings Represents City of Rialto in Favorable Environmental Settlement

### **June 07, 2012**

Paul Hastings Excels in Chambers USA 2012 Guide

### **January 23, 2012**

Paul Hastings Continues San Francisco Growth with Top Environmental and  
Energy Partner

## **Peter H Weiner** (Continued)

**June 10, 2011**

Paul Hastings Excels in Chambers USA 2011 Guide

**October 28, 2010**

Paul Hastings Advises Solar Millennium in Blythe Solar Power Project

**June 14, 2010**

Paul Hastings Garners Top Rankings in Chambers USA 2010 Guide

**June 17, 2008**

Paul Hastings Attorneys Recognized as Super Lawyers and Rising Stars in Northern California, Southern California, Georgia, Illinois, New York and Washington, D.C.

**June 05, 2006**

Paul Hastings Practice Areas and Attorneys Earn Top Honors in Latest Edition of Chambers USA

**May 25, 2005**

Paul Hastings Soars in Chambers USA 2005 Rankings

## **Insights**

**April 15, 2015**

Revisions to California's Heat Illness Prevention Standard To Take Effect on May 1, 2015

**November 02, 2010**

California Enacts Landmark Energy Storage Law

**July 07, 2010**

Federal Government Establishes New Rental Policy for Solar Projects Located on Public Lands

**February 27, 2009**

Green Co-Existence. The Recorder.

**August 11, 2008**

Impact of California Greenhouse Gas Rules on Landfill-Gas Power Facilities

## **Peter H Weiner** (Continued)

**February 11, 2008**

New Brownfields Exemption Will Help Developers of Contaminated Property

**September 24, 2007**

The California Attorney Generals Latest Settlement: ConocoPhillips Company  
Agrees to Offset Greenhouse Gas Emissions from Expanded Refinery

**March 01, 2003**

EPA Issues New Requirements for Evaluation of Indoor Air at Contaminated  
Sites

**January 01, 2002**

Superfund Reform/Brownfields Legislation Enacted

## **Rankings & Awards**

**April 26, 2019**

Recognized by Chambers USA 2019

**May 15, 2018**

Recognized by Chambers USA 2018

**June 05, 2017**

Recognized by Chambers USA 2017

**June 08, 2016**

Recognized by Chambers USA 2016