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BLOOMINGTON

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Services

Environmental
Litigation and Dispute Resolution
Environmental Litigation

Education

University of Notre Dame,
Mendoza College of Business,
Cert. of Executive Management

DePaul University College of Law,
J.D.

Augustana College, B.A.

Bar Admissions

Illinois
Michigan
Wisconsin

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals
 - 7th Circuit
 - 6th Circuit
- U.S. District Court
 - Northern District of Illinois
 - Central District of Illinois
 - Southern District of Illinois
 - Northern District of Indiana

Lawrence W. Falbe

Principal



Larry Falbe is an environmental attorney whose national practice focuses on transactional support of real estate and corporate deals, environmental and health & safety compliance and litigation, environmental criminal enforcement defense, voluntary self-disclosure of environmental violations, Brownfields issues, climate change, environmental justice aspects of development, and Environmental, Social and Corporate Governance (ESG) issues.

Larry has represented clients involved in enforcement actions by federal, state and local authorities and has negotiated numerous compliance programs, consent decrees and settlements. He also completed internships with the U.S. Department of Justice, Environmental Enforcement Division and the U.S. Environmental Protection Agency, Region 5. Larry has substantial litigation and regulatory experience involving CERCLA (Superfund), OSHA, FIFRA, EPCRA, RCRA (hazardous waste), toxic torts, Clean Water and Clean Air Acts, underground storage tanks, and so-called "emerging contaminants," including per- and poly-fluoroalkyl substances (PFAS). With respect to PFAS, Larry has been a key litigation team member in several lawsuits (including deposing expert witnesses) and has advised on remediation issues at facilities where PFAS has been identified. He also counsels clients with respect to PFAS issues in environmental due diligence for the sale and purchase of real estate and businesses.

Larry's approach to environmental transactional issues is to focus on "how to get the deal done, not kill it" when confronted with environmental challenges. Larry has more than 30 years of experience reviewing and analyzing Phase I and Phase II assessments to satisfy due diligence requirements, obtaining No Further Remediation Letters, evaluating the cost/benefit of transactions, and advising clients on potential liability and remediation issues. He also focuses on other

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- Southern District of Indiana
- Eastern District of Wisconsin
- Eastern District of Michigan
- Western District of Michigan

environmental development aspects such as endangered species and wetland issues. He is experienced in representing buyers, sellers, lenders and other stakeholders.

As an adjunct professor at Northwestern University School of Law, Larry personally created a cutting-edge course entitled, "Environmental Considerations in Commercial and Real Estate Transactions," as part of NU's "Structuring Transactions" course series. Larry has also published articles on a wide variety of environmental issues and is a frequent lecturer on due diligence and environmental liability concerns.

A strong supporter of diversity in the legal community, Larry has a long history of mentoring, training and supporting diverse associates. In his off-hours, Larry races his sailboat on Lake Michigan. He also serves on the board of directors of numerous private and public organizations, including as Chairman of the International Council of Shopping Centers (ICSC) National Environmental Committee and Board Member and Secretary of the Montessori School of Lake Forest. He is the former Chair of the Air & Waste Management Association (Lake Michigan States Section) and the former President of the Illinois Association of Environmental Professionals.

Representative Matters

Regulatory Permitting, Compliance and Enforcement

- Achieved favorable settlement with Illinois Attorney General for large vegetable cannery concerning accidental release of process water that violated the facility's NPDES permit and allegedly caused a seven-mile "fishkill."
- Assisted Publicly-Owned Treatment Works (POTW) in responding to proposed Administrative Order on Consent (AOC) for alleged violations of the U.S. EPA's Clean Water Act pretreatment program.
- Representation of large agricultural facility with EPA criminal investigation alleging intentional process water discharge violations of the Clean Water Act.
- Assisted large plating facility with self-disclosure to U.S. EPA of alleged environmental criminal regulatory violations for false record-keeping and permit reporting based on alleged actions of 'rogue' employee.
- Obtained favorable settlement with the Illinois Attorney General and the Illinois Environmental Protection Agency on behalf of large soybean processor concerning accidental discharge of contaminated wastewater to creek which allegedly caused an 11-mile "fishkill" and other environmental and natural resources damages.

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- Representation of large meat-packing facility to respond to EPA concerns regarding its compliance with U.S. EPA's Clean Water Act pretreatment program.
- Representation of large agricultural facility to invoke agricultural exception to stormwater permit requirements and avoid proposed Administrative Order on Consent (AOC) demanded by U.S. EPA.

Real Estate Transaction and Redevelopment Support

- Representation of large multi-national retailer with environmental "all appropriate inquiry" due diligence for leases and acquisitions for "big-box" stores, distribution centers and other developments, including wetlands, endangered species and other issues.
- Represented national online automotive dealer with consideration of property adjacent to active Superfund Site for a new distribution center and property with significant wetland impacts.
- Represent numerous industrial property owners and "Brownfield" redevelopers to assess potential impacts of contaminated sites and obtain regulatory closure through state-based voluntary cleanup programs in various states.

Emergency Response and Crisis Management

- Represented large plating facility with emergency response and subsequent enforcement action by Illinois Attorney General for accidental release of industrial hydrochloric acid from above-ground storage tank that volatilized and caused the evacuation of nearby residential neighborhood and impacts to adjacent wetlands.

Occupational Safety and Health Investigations

- Represented large agricultural facility with OSHA fatality investigation and successfully convinced OSHA that fatality was not due to employer negligence or unsafe working conditions.
- Assisted several companies with COVID-19 workplace exposure claims and compliance policies.

Honors

Best Lawyers in America, Environmental Law, 2024–present

Leading Lawyers, Environmental Law, 2012–present

Professional Activities

International Council of Shopping Centers (ICSC), Chairman, National Environmental Committee

Air & Waste Management Association (A&WMA), Lake Michigan States Section, Former Chairman

Illinois Association of Environmental Professionals (IAEP), Former President

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Chemical Industry Council of Illinois (CICI), Former Board Member

Illinois Manufacturers' Association (IMA), Member

Illinois Association of Wastewater Agencies (IAWA), Member

Environmental Facilities Management Roundtable, Member

American Bar Association, Member

Lake County Bar Association, Member

Chicago Bar Association, Member

Civic, Cultural & Social Activities

Lake County Partners, Pro-Bono General Counsel

Montessori School of Lake Forest, Board Member & Secretary

Gus Berthold Electric Company, Board of Directors

METRA Citizens Advisory Board, Former Member

Illinois Enterprise Zone Board, Former Member

Conserve Lake County, Former Director

Lake County Regional Planning Commission, Former Member

Libertyville Township, Former Trustee

Village of Mettawa, Former Trustee

Village of Mettawa Zoning Board of Appeals, Former Member

Lincolnshire Architectural Review Board, Former Member

Speeches

"ASTM E1527-21: Secrets, Nuances, and a Collaborative Industry Dialogue to Include Risks, RECs, and Recommendations," Environmental Bankers Association 2026 Annual Conference, Panelist, San Diego, California, Feb. 11, 2026

"Hypothetically Speaking . . . what happens when an environmental crime finds the compliance-minded company?" Chemical Industry Council of Illinois (CICI) Environmental Enforcement Seminar – How to Stay in Compliance and Out of Trouble, Panelist, January 22, 2026

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"Due Diligence Horror Stories: When Environmental Risk Becomes Reality," Illinois Association of Environmental Professionals (IAEP), Panelist, Oct 23, 2025

"Turning Environmentally Impacted Sites to Profit," International Council of Shopping Centers (ICSC) National Environmental Committee, Webinar Panelist, Oct. 22, 2025

"How Companies Should Handle Enforcement Issues," Illinois Manufacturers' Association (IMA) Annual Environment and Energy Conference, Speaker, Oct. 21, 2025

Virtual Lunch & Learn: Understanding PFAS: Policy, Impact and Solutions, Brownfield Coalition of the Northeast, Webinar Panelist, Feb. 25, 2025

PFAS Due Diligence State-of-the-Industry Roundtable, Illinois Association of Environmental Professionals annual meeting, Schaumburg, Illinois, Panelist, Oct. 29, 2024

Illinois Brownfield Update, IAEP, Program Moderator, Feb. 29, 2024

"What Clients Want – How to be an effective environmental problem-solver by understanding your clients' needs and goals," Environmental Bankers Association Risk Management Meeting, Feb. 21, 2024

"Ripped from Real Life Phase I Reports: Reaching Conclusions Using Examples with Challenging Fact Patterns," Environmental Bankers Association 2024 Annual Conference, San Diego, California, Feb. 6, 2024

"ESG for You and for Me: Managing Environmental and Sustainability Demands of Developers, Landlords, Tenants, and Investors for Successful Leasing and Development," ICSC Law Conference, Phoenix, Oct. 26, 2023

2023 Annual Air Conference, Air & Waste Management Association – Lake Michigan States Section, Planning Committee, Oct. 25, 2023

"The NPDES Pre-Treatment Program and Wastewater Compliance – What Industry Needs to Know," IMA Annual Environmental Conference, Oct. 18, 2023

"A Developer's Perspective on What It Takes to Successfully Redevelop a Brownfields Site," Panelist, National Brownfields Training Conference, Detroit, Aug. 9, 2023

"Using (But Not Abusing) Phase I and Phase II Reports to Overcome Real World Issues," Environmental Bankers Association 2023 Annual Meeting, St. Louis, Aug. 2, 2023

"Step by Step Waste Inspection," Panelist, CICI, "Wasting" the Summer Away Seminar, June 15, 2023

"PFAS Shifting Legal Paradigms," Program Moderator, Air & Waste Management Association Lake Michigan States Section Annual Waste Conference, May 24, 2023

"Environmental Due Diligence, A Legal Outlook," Environmental Facilities Management Roundtable, New Orleans, March 30, 2023

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"The Investigation and Prosecution of Federal Environmental Crimes: What Environmental Professionals Need to Know," Air & Waste Management Association – Lake Michigan States Section, Program Moderator, Jan. 11, 2023

"Using Self-Audits and Voluntary Disclosures to Mitigate Enforcement," IMA Annual Environmental Conference, Nov. 10, 2022

"Why Settle For Good When You Can Be Great - Tips for Environmental Consulting Success," IAEP Annual Meeting, Nov. 2, 2022

"Diving Into (But Not Drowning in) Environmental Due Diligence and Environmental Site Assessments," ICSC Law Conference, Orlando, Oct. 28, 2022

"What Clients Want – How to be an effective environmental problem-solver by understanding your clients' needs and goals," Midwestern States Environmental Consultants Association (MSECA) Meeting on Due Diligence, Indianapolis, Oct. 6, 2022

Environmental Pitfalls During Facilities Development, Environmental Facilities Management Roundtable, June 1, 2022

Air & Waste Management Association - Lake Michigan States Section's 2022 Virtual Waste Conference, Co-Chair, April 26, 2022

"EPA's Pretreatment Program Legal Update – Compliance and Enforcement," Central States Water Environment Association webinar, April 21, 2022

"Updates on Illinois Environmental Regulations and Programs from the Private Practitioner's Perspective," Illinois Association of Environmental Professionals webinar, Feb. 16, 2022

"Racing Against the Clock - Voluntary Disclosure of Suspected Environmental Crimes," CICI January Enforcement Seminar, Jan. 27, 2022

"Negotiation of Administrative Consent Orders with US EPA for Wastewater Pre-Treatment Program Violations," Illinois Association of Wastewater Agencies (IAWA), Pre-Treatment Committee, Dec. 1, 2021

2021 Annual Air Conference, Air & Waste Management Association – Lake Michigan States Section, Planning Committee, Oct. 28, 2021

"Successful Interactions with Environmental Regulatory Agencies," IMA Annual Environmental Conference, Oct. 6, 2021

"Update on US EPA's Pretreatment Compliance and Enforcement Program for Industrial Users," CICI Annual "Hot Topics" Seminar, June 23, 2021

"Environmental Justice in Illinois: Current Policy and Emerging Trends," Air & Waste Management Association – Lake Michigan States Section webinar, Program Moderator, May 18, 2021

"Cultural and Historic Resource Review in Phase I Environmental Site Assessments and Beyond," Illinois Association of Environmental Professionals webinar, Program Moderator, May 5, 2021

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Air & Waste Management Association - Lake Michigan States Section's 2021 Annual Waste Conference, Planning Committee, April 27–28, 2021 (Virtual)

"Using Remediation Estimates to Avoid Environmental Deal-Killers," Webinar with August Mack Environmental, Co-Presenter, April 22, 2021

"Round Table: Young Professionals in Environmental Insurance," Society of Environmental Insurance Professionals webinar, Panelist, April 22, 2021

"OSHA for Environmental Consultants – Compliance and Certifications," Illinois Association of Environmental Professionals webinar, Program Moderator, March 31, 2021

"Environmental Justice in Illinois," Illinois Association of Environmental Professionals webinar, Program Moderator, March 4, 2021

"Using Environmental Self-Audits and Voluntary Disclosures to Avoid Serious Enforcement Issues," CICI January Enforcement Seminar, Jan. 19, 2021

"Basic Networking for Environmental Professionals," Illinois Association of Environmental Professionals webinar, Dec. 2, 2020

"Handling Serious Environmental Violations: The Role of the IEPA, the Attorney General and the Company," IMA Annual Environmental Conference: Emerging Topics, Compliance & Environmental Justice, Oct. 22, 2020

"What Do You Mean I Have to Read Past the Executive Summary? — Using (But Not Abusing) Phase I and Phase II Reports to Overcome Real-World Environmental Issues," ICSC Virtual Law Conference, Oct. 16, 2020

"Environmental Due Diligence for Complex Multi-Site/Multi-State Projects," Illinois Association of Environmental Professionals 2020 (Virtual) Annual Meeting, Oct. 7, 2020

"Regulatory and Enforcement Update: Illinois Environmental Protection Agency," Illinois Association of Environmental Professionals webinar, Program Moderator, July 29, 2020

"Endangered Species Update," Illinois Association of Environmental Professionals webinar, Program Moderator, June 10, 2020

"ASTM Phase I Practice E-1527 Update and Phase Is Gone Wrong," Illinois Association of Environmental Professionals webinar, Program Moderator, May 27, 2020

"Environmental Insurance 101: Using Environmental Insurance as a Risk Mitigation Tool," Illinois Association of Environmental Professionals seminar, Program Chairman, March 4, 2020, Des Plaines, Illinois

"Using Environmental Auditing to Create an Effective Environmental Compliance Program," IMA Environmental Compliance Conference, Nov. 20, 2019, Oak Forest, Illinois

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"Ethical Challenges for the Environmental Professional," Illinois Association of Environmental Professionals, Nov. 6, 2019, Des Plaines, Illinois

"Fundamentals of Networking," Air & Waste Management Association Lake Michigan States Section, Oct. 10, 2019, Chicago

Air & Waste Management Association-Lake Michigan States Section 2019 Annual Waste Conference, Conference Co-Chairman, May 14, 2019, Chicago

"Priorities of the Illinois Environmental Protection Agency under the Pritzker Administration," Illinois Association of Environmental Professionals seminar, Program Chairman, April 10, 2019, Des Plaines, Illinois

"Challenges and Opportunities Encountered by Private Sector in Redeveloping Sites With A Superfund History," Panelist with International Council of Shopping Centers and Environmental Protection Agency Region V, March 13, 2019, Chicago

"Advanced Environmental Issues Seminar: Environmental Due Diligence for Mergers and Acquisitions," Illinois Association of Environmental Professionals, March 6, 2019, Des Plaines, Illinois

"Emerging Contaminants (PFAS) in Illinois," Illinois Association of Environmental Professionals seminar, Program Chairman, Oct. 30, 2018, Des Plaines, Illinois

"Lake Michigan States' Regulatory Update," Panel Moderator, Air & Waste Management Association-Lake Michigan States Section 2018 Annual Waste Conference, May 23, 2018, Chicago

"What Clients Want - How to be an Effective Environmental Problem-Solver by Understanding Your Clients' Needs and Goals," Illinois Association of Environmental Professionals seminar, May 16, 2018, Des Plaines, Illinois

"Overcoming Environmental Obstacles to Development," DevCon (Annual Suburban Developers Conference), March 16, 2018, Riverwoods, Illinois

"Environmental Issues for Real Estate Lawyers," Chicago Bar Association Real Estate Law Committee, Dec. 14, 2017

"Illinois Advanced Site Remediation Seminar," Illinois Association of Environmental Professionals, Oct. 19, 2017

"Economic Development Brownfield Workshop," Illinois EPA Brownfields Program, the City of Ottawa, and the Technical Assistance to Brownfields (TAB) Program, Kansas State University, Oct. 18, 2017

Webinar: "Big Changes for the Solid Waste Rule: Practical Impact of New D.C. Circuit Court Ruling on EPA's 2015 Final Rule," Sept. 27, 2017

"Environmental Issues in Real Estate," Lake County Bar Association 2017 Annual Real Estate Seminar, Milwaukee, WI, June 3, 2017

Webinar: "Environmental Law in an Hour," One Hour Law School 1.0, Tell Me What I Need to Know, FinancialPoise.com, May 3, 2017

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"Latest Developments in Vapor Intrusion: Why These Changes Matter and What You Need to Know," Midwest Environmental Enforcement Conference (MECC), Chicago, IL, Nov. 1-3, 2016

Webinar: "Environmental/OSHA Inspections, Self-Audits and Voluntary Disclosures," Illinois Association of Environmental Professionals, Chicago, IL, Oct. 25, 2016

"Overview of Brownfield Legal Issues," 2016 Economic Revitalization through Brownfields Conference, Springfield, IL, Aug. 31, 2016

"Taming the Brownfield Jungle: Your Survival Guide for Overcoming Environmental Traps and Snares," ICSC Law Conference, Phoenix, AZ, Oct. 29, 2015

Webinar: "Measure Twice; Merge (& Acquire) Once," Association of Corporate Counsel, Chicago, IL, Aug. 4, 2015

"Vapor Intrusion II - Practitioner and Legal Perspectives" (Co-presenter), Illinois Association of Environmental Professionals, Chicago, IL, June 17, 2015

"New Hazardous Secondary Materials Recycling Regulations: How to Seamlessly Transition to Meet 2015 Requirements," BLR - Business and Legal Resources Webinar, May 14, 2015

"Environmental Laws and Regulations," DePaul University Certified Hazardous Materials Management Review Course, Chicago, Ill., March 25, 2015

"Due Diligence at Dawn: How to Eliminate Environmental Consultant Professional Liability," EDR Seminar, Schaumburg, Ill., Nov. 19, 2014

"Trending Topics in Environmental Law: What Every Dealmaker, Developer, Landlord, and Tenant Need to Know," ICSC Law Conference, Orlando, Fla., Oct. 24, 2014

"National Environmental Protection Act (NEPA) Workshop" (Planning Committee), Illinois Association of Environmental Professionals Seminar, Chicago, Ill., April 30, 2014

"Environmental Contract Considerations in Real Estate Transactions," Chicago Bar Association Real Estate Law Committee, Chicago, Ill., April 23, 2014

"2014 Hot Topics in Municipal Finance" (Moderator), Lake County Partners and the Lake County Municipal League, Lake County, Ill., Feb. 19, 2014

"Overcoming Environmental Obstacles to Retail Development," ICSC Law Conference, San Diego, CA, Oct. 16, 2013

"The Impact of Health Care Reform" (Moderator), Lake County Business Forum, June 19, 2013

"How to Develop Contaminated Properties," International Council of Shopping Centers Law Conference, Orlando, Fla., Oct. 24, 2012

"Caselaw Updates Regarding CERCLA Bona Fide Prospective Purchaser Defense," ISBA 11th Annual Environmental Law Conference, Chicago, Ill., May 10, 2012

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"Environmental Due Diligence: How Much is Enough?" ICSC Legal Conference, Phoenix, Ari., Oct. 29, 2011

"The Greener Side of Real Estate Development: Green Construction, Endangered Species and Wetlands," Illinois State Bar Association Environmental Law Conference, Chicago, Ill., May 12, 2011

"Contract Considerations in Environmental Law," DuPage County Bar Association, Environmental Law Committee, Dec. 8, 2010

"Land Use Law: Current Issues in Subdivision, Annexation and Zoning," NBI Seminar, Oak Brook, Ill., Dec. 7, 2010

"Climate Change Panel Discussion," Northwestern University School of Law, Nov. 9, 2010

"New Environmental Issues for Real Estate Transactions," IICLE 6th Annual Real Estate Short Course, Palatine, Ill., Feb. 19, 2010

"Environmental Regulation in the Real Estate and Zoning Fields," NBI Navigating Local Land Use Law and Approval Process Seminar, Oak Brook, Ill., June 9, 2009

"Contract Considerations in Environmental Law," 2009 Illinois State Bar Association Environmental Law Conference, Chicago, Ill., May 14, 2009

"Navigating the Impact of Endangered Species Law on Development Projects in Illinois," Chicago Bar Association Environmental Law Committee, Chicago, Ill., Dec. 2, 2008

"Environmental Law Nuts and Bolts," 2008 Illinois State Bar Association Environmental Law Conference, Naperville, Ill., May 2, 2008

"Environmental Issues in Real Estate Development," The Development Approval Process in Illinois, Countryside, Ill., Oct. 18, 2007

Publications

"SCOTUS Limits USEPA Authority to Regulate Wetlands Under Clean Water Act," Co-authored with Matthew Greenberg and Paul Collins, May 26, 2023

"Brownfield Development: Government Money for Private Development," *Environmental Law in Corporate and Real Estate Transactions* chapter author, Illinois Institute for Continuing Legal Education (IICLE), March 2023

"Self-Disclosures: A Potential Defense Against Increased Enforcement," *The Illinois Manufacturer*, Fourth Quarter 2021

"U.S. EPA Releases New FAQs for Self-Disclosure of Environmental Violations," *The Beaker* published by the Chemical Industry Council of Illinois (CICI), March 4, 2021

"Environmental Due Diligence for Corporate Acquisitions," *The Illinois Manufacturer*, Third Quarter 2019

"Brownfield Development: Government Money for Private Development," *Environmental Law in Corporate and Real Estate Transactions* chapter author, Illinois Institute for Continuing Legal Education (IICLE), May 2019

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"What Illinois Manufacturers Need to Know About California's Proposition 65," *The Illinois Manufacturer*, Second Quarter 2019

"Illinois: GR Committee holds 9th Annual Aldermanic Reception," International Council of Shopping Centers, 2018

"Larry Falbe: A 'Dirt Lawyer' With an Eye on Diversity," Leading Lawyers Profile, 2017

"Environmental Compliance Audits: A Cheap 'Insurance Policy' Against Environmental Regulatory Violations," Bloomberg BNA Daily Environmental Report, January 6, 2016

"Five tips for hiring environmental consultants," Chicago Daily Law Bulletin, April 23, 2015

"Surviving and Thriving through Environmental Inspections," Bloomberg BNA Daily Environmental Report, January 9, 2015

"Preparing for Environmental Inspections," Technology & Manufacturing Association, November 1, 2014

"Tracking Fracking: Where is Ill. One Year Later?" Law 360, August 28, 2014

"New vapor intrusion policies change scope of environmental due diligence," Chicago Daily Law Bulletin, May 15, 2014

"Overcoming Environmental Obstacles to Retail Development: Five Tips for Avoiding Environmental Deal Killers," International Council of Shopping Centers (ICSC) Shopping Center Legal Update, May 1, 2014

"Challenges Still Ahead After Ill.'s New Fracking Bill," Law360, June 18, 2013

"Supreme Court Finds Right of Recovery for CERCLA 'Voluntary' Cleanups but Reduces Contribution Protection for Settling Parties," The Real Estate Finance Journal, July 6, 2007

"Recovery of 'Voluntary' Cleanup Costs – Will the Supreme Court Provide an Answer?" The Real Estate Finance Journal, March 8, 2007

"Beware of reliance on 'as-is, where is' clauses," The National Law Journal, September 29, 2003