

Joshua W. Gubkin

Associate General Counsel

Redwood Materials

Testimony Curriculum Vitae

Joshua W. Gubkin is Associate General Counsel, EHS at Redwood Materials, where he works in the Legal department and serves as a key compliance contact. His practice focuses on environmental, health and safety, compliance governance, battery policy, and regulatory strategy for the domestic critical-minerals and battery supply chain. At Redwood, he has contributed to public policy and legislative work on EV battery recycling, battery circularity, federal environmental regulation, and domestic critical-mineral recovery. His work product includes federal legislative priorities for EV battery recycling, a draft national lithium-battery management framework, Nevada-focused regulatory and policy work related to battery recycling and state permitting frameworks, and support for state EV-battery end-of-life / EPR-style legislative work undertaken by Redwood's government-affairs team.

Before joining Redwood, Josh served as in-house counsel, an auditor and consultant, and as a government attorney. In those various positions, he has worked on permitting, enforcement, compliance systems, dangerous goods, operational risk, and litigation across highly regulated industries.

Public-Facing Highlights

- Developed Redwood Materials policy materials calling for federal reforms to battery recycling regulation, including RCRA exclusion concepts, a unified lithium-battery management framework, and interagency alignment among EPA, DOE, and DoD.
- Drafted a model Lithium Battery Management Act framework centered on battery circularity, reuse / remanufacturing / repurposing before recycling, and nationally consistent management standards.
- Led or supported Nevada-focused regulatory and policy work related to adoption of hazardous secondary materials (HSM) exclusions, proposed alternatives to written-determination requirements, and discussions with NDEP's air program regarding permitting pathways for testing operations.
- Supported Redwood colleagues' state-policy work on EV-battery end-of-life / EPR-style bills and model-framework language, with documented comments or legal analysis on Colorado draft legislation, California SB 615 redlines, Illinois SB 3481, Nevada draft legislation / framework language, and participation in EPA discussions on battery producer-responsibility concepts.
- Brings prior experience as in-house counsel, senior consultant, and Assistant Attorney General handling environmental enforcement, permitting, investigations, and compliance across multiple industries.

Witness / Speaker Profile

Attorney and EHS compliance leader with experience in battery recycling and circular-economy policy, critical-mineral supply chain regulation, environmental permitting and enforcement, dangerous goods and transportation compliance, audit governance, and enterprise compliance systems. Public-facing work includes testimony preparation, policy papers, legislative frameworks, and executive-level speaking materials on federal and state regulation affecting battery recycling, repurposing, and domestic critical-mineral recovery.

Current Position

Associate General Counsel, EHS | Redwood Materials

- Serves in Redwood Materials' Legal department as EHS and compliance counsel.

- Contributes to Redwood’s public policy, legislative, and regulatory strategy on EV battery recycling, battery circularity, federal environmental law, and domestic critical-mineral recovery.
- Supports Redwood’s State Policy & Government Relations colleagues on state legislative and policy work involving EV-battery end-of-life management, EPR-style frameworks, repurposing, recycling, and related compliance questions.
- Develops and reviews compliance-governance materials, including partner conduct standards and attorney-directed EHS audit procedures.
- Supports internal and external communications on complex regulatory issues affecting battery recycling, repurposing, environmental compliance, and operational risk.
- Current role-scope materials reflect sustained responsibility across BESS testing, litigation and enforcement response, enterprise risk management, compliance-program development, policy work, trade-related issues, and Board-facing risk reporting.

Representative Topics

- State battery-recycling regulation and permitting frameworks, including Nevada HSM and written-determination issues.
- State EV-battery end-of-life / EPR-style legislation and producer-responsibility models.
- Fire-safety, transportation, and interagency regulatory overlap affecting lithium batteries.
- EHS compliance governance, audit programs, and regulated-industry risk management.

Selected Testimony, Policy, and Legislative Contributions

Model Lithium Battery Management Act Framework

Drafted a proposed national framework treating end-of-life lithium batteries as valuable resources rather than waste and emphasizing battery-management hierarchy, storage, emergency response, transportation, and reporting concepts.

State EV Battery End-of-Life / EPR Framework Support

Supported Redwood colleagues’ work on state EV-battery end-of-life and EPR-style proposals by providing drafting comments, legal analysis, definitional edits, reporting suggestions, and framework feedback in connection with Colorado, California, Illinois, Nevada, and model-legislation workstreams.

Corporate Governance / Public-Facing Policy Support

Supports compliance and policy-facing work at Redwood through code-of-conduct governance and EHS audit-program development relevant to regulated operations and stakeholder engagement.

Selected State Regulatory, Legislative, and Policy Work

State EV Battery End-of-Life / EPR-Style Legislation

Supported Redwood’s State Policy & Government Relations team on battery end-of-life / producer-responsibility proposals by commenting on draft definitions, recycler standards, end-of-life terminology, reporting provisions, waste-classification issues, and responsibility allocation. The available materials show direct contributions to Colorado draft EV-battery legislation, California SB 615 redlines, Illinois SB 3481 analysis, Nevada framework and bill drafts, and model EV-battery framework language used across state-policy discussions.

NDEP Stakeholder / Workgroup Engagement

Coordinated and participated in industry and NDEP engagement. Advocated for Nevada’s adoption of the HSM exclusions in 40 C.F.R. 261.4(a)(23), (24), and (27). Worked on proposed Nevada NAC language to allow legitimate recycling facilities an alternative to Nevada’s written-determination provisions at NAC 444.8455. Engaged with

NDEP's Bureau of Air Pollution Control on permitting pathways, including open burning, insignificant activity, and Class II permit-revision issues.

Selected Experience, Litigation, and Credentials

- More than 150 regulatory compliance audits across environmental, health and safety, hazardous materials transportation / dangerous goods, management systems, and due diligence work.
- Experience across automotive manufacturing, energy and refining, chemical production, electronics, research and development, waste treatment, recycling and disposal, foundries, pharmaceuticals, pulp and paper, and warehousing / packaging.
- International audit and compliance work includes China, the Czech Republic, Malaysia, the Philippines, Poland, South Korea, Taiwan, Thailand, Mexico, Canada, and multiple U.S. states.
- Litigated matters from administrative proceedings through appeal, including an appellate award of \$3.5 million in a Motor Carrier Safety Act insurance claim.
- Successfully argued *Fairport Intl v. Shipwrecked Vessel*, before the Federal Court of Appeals for the 6th Circuit.
- Panelist for U.S. Department of Justice discussion on wetlands regulations in light of *Rapanos v. United States* (USSC, 2006).

Education

- Juris Doctor, Energy & Environmental Law Certification — Chicago-Kent College of Law, Illinois Institute of Technology.
- Master of Science, Environmental Management — Stuart School of Business, Illinois Institute of Technology.
- Bachelor of Science, Science & Technology Studies / Biology (double major) — Michigan State University.

Bar Admissions & Professional Certifications

- Nevada Bar, Michigan Bar; Illinois Bar (Retired); past admissions to California and Kansas Bars.
- ISO 14001:2015 Environmental Management Systems.
- ISO 14001:2004 Lead Auditor Certification.
- OHSAS 18001 Safety Auditor Certification.
- Storm Water Management Operator Certification.