

RANDY MICHAEL MOTT
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LEGAL EDUCATION: Georgetown University Law Center (J.D. 1974), National Moot Court Champion (Best Team, Best Brief, Best Advocate).

PREPARATORY EDUCATION: University of Iowa (B.A. with double honors, political science and American history 1970).

EXPERIENCE: Director for Europe, Africa and the Middle East, CHWMEG Inc. (USA) (association of 280 companies working on waste stewardship) (2008 to date); independent legal consultant/advisor (2005 to date); founder of CEERES Sp. z o.o. a biogas energy developer in Poland; Vice President of the Polish Biogas Association; former board member of the Polish Economic Chamber for Renewable Energy. **Past:** Assistant, Office of the Administrator, U.S. Environmental Protection Agency (1972-73). Associate and Partner in private law firms in Washington DC from 1975 to date Associate- Steptoe & Johnson (1974-78); Associate - Troy, Malin & Pottinger (1978-80); Associate- Skadden Arps (1980-82); Partner- Zuckert, Scoutt & Rasenberger (1982-84); Partner - Breed Abbott & Morgan (1984-85); Partner- Heron, Burchett, Ruckert & Rothwell (1985-87); President - Mott & Associates P.C. (1987-93); solo practice (1994-2000); President of EkoTechnology Sp. z o.o (air pollution control equipment mfr.) (1999-2004); Environmental Affairs Coordinator, CEC Government Relations (Warsaw, Prague, Budapest, Bucharest, Sofia, Kiev)(2006- 2008).

PROFESSIONAL AFFILIATIONS: U.S. Congressional Office of Technology Advisory Committee on CERCLA (1985) and RCRA (1984), Vice president, Polish Biogas Association (current); Chairman, "Biogas Poland," Warsaw, May 2012 (Green Power Conferences); Visiting adjunct, environmental law, Lazarski School of Law, Warsaw; Past Chairman, Environmental Committee, British-Polish Chamber of Commerce; National Reporter for Poland for Institute European Environmental Law, T.M. Asser, the Hague; environmental columnist for Biznes Polski (business weekly in Poland); U.S. Environmental Law Institute.

ENVIRONMENTAL EXPERIENCE: Reviewer, UN Environment Program, Report Waste Management in Africa 2018; Founded and ran the Hazardous Waste Treatment Council working on waste management issues (US); Project leader on multiple environmental impact assessment cases, including new landfill, waste treatment facilities, Marriott hotels, and other matters (US); involved in over thirty environmental due

diligence investigations in mergers and acquisitions (U.S.); Lead on project development on 25 biogas plants in Poland using waste-to-energy; consultant to RES projects including biomass, wind, coal gasification, and biofuel; Involved in over 145 hazardous waste sites (U.S.) since 1978, including two dozen NPL sites. Project leader on several dozen U.S. sites for technical and legal work. Technical PRP Committee on several dozen other sites (U.S.); Lead counsel in several reported litigation cases, including the trial of the corporate veil case that reached the Supreme Court (United States v. Best Foods) which later led to summary judgment for the client on a \$100 million liability claim as well as Lone Pine v. EPA (3rd Cir.); Hazardous Waste Treatment Council v. Gorsuch (D.C. Cir.); Pierson Sand & Gravel v. Pierson Township (W.D.Mich.), Wickland Terminal v. Asarco (9th Cir.). Coordinated the defense of the only Section 106 order withdrawn by EPA (Ott/Story/Cordova); Coordinated water discharge permit proceedings for multiple facilities including industrial plants and remedial projects (U.S.); litigated air and water permit cases in several jurisdictions (U.S.); invented the “Lone Pine” toxic tort case management order in Lore v. Lone Pine Corp.; coordinated RCRA closure plans and compliance plans for several sites and corporate-wide RCRA compliance for several Fortune 500 firms; founded the Hazardous Waste Treatment Council created the environmental disclosure defense in tender offer litigation in Mead Corp. v. Occidental Petroleum Corp. Represented the National Association of Manufacturers on Superfund legislation, testifying before Congress and proposing amendments.

LITIGATION EXPERIENCE: Served as expert witness in various cost recovery actions under CERCLA (as solo practitioner); Tried a five week-long case in W.D. Mich. with 2,500 exhibits and fifty witnesses; lead counsel in San Francisco CERCLA case; lead counsel in Rhode Island suit against municipality for contaminated water supply; co-lead counsel in Lone Pine test case to Third Circuit on CERCLA pre-enforcement review; handled numerous preliminary injunction motions in tender offer and other cases; litigated several criminal cases, including murder cases; litigated one of major D.C. long-arm jurisdiction cases; lead attorney in lengthy litigated Title VII case; lead attorney in Clean Air Act PSD litigation seeking \$20 million fine; lead counsel in Indian training grant case against Dept. Of Labor; lead counsel for food industry in OSHA proceedings on SO2 standard; numerous expert and fact depositions.

POLISH EXPERIENCE: Organized first phytoremediation company in Poland; Managed site feasibility studies for several anaerobic digestion locations in Poland; conducted feasibility study for landfill biogas energy recovery project at multiple sites in Poland; conducted and directed environmental due diligence for bio-ethanol plant acquisition, wind farm development and solvent recycling plant; Conducted due diligence on four sites in metallurgical industry acquisition; legal counsel to biomass firm and gas gasification project; Worked in privatization of pollution control industry in 1991-94,

organizing one of the final bids for ELWO S.A.; Analyzed EU IPPC Directive and all proposed BREF documents on BAT for air pollution control and solvent abatement and recycling; Developed data base of over 4000 firms in Central Europe affected by IPPC; Analyzed EU VOC Directive and developed marketing plan for solvent recycling service company in Warsaw; organized group to amend Polish Contaminated Land Law (2006); founder of CEERES renewable energy company (biogas).

PUBLICATIONS: [“Improving Industrial Waste Management in Africa,”](#) Journal on Sustainable Development in Africa (Fall 2016); [“The European Commission’s Mismanagement of State Aid Rules for Renewable Energy,”](#) PowerGen Europe (Pennwell 2015); [“Analyzing The True Cost Of Renewable Energy ”](#) (Feb. 5, 2014); “The Growing Convergence: Waste Producer Liability Under European Law,” CHWMEG (Oxford University, December 2012); [“Why Poland Urgently Needs A New Law On Green Certificates,”](#) October 23, 2013; [“Biogas As A Model For Distributed Power: Local Waste Local Source Of Energy,”](#) www.reo.pl (July 8, 2013); “Role Of Biogas In Poland: Misconceptions And Opportunities,” Baltic Biogas Forum, Gdansk, September 18, 2012; “Waste Producers’ Duty Of Care Under European Community Law,” EU Waste Management, Cologne 2010 ([www.euwm.eu](#)); “Asking Tough Questions,” E-Scrap News, September 2010; [“State Of The Law In Europe On Generator Liability: Waste Stewardship In A Complex System,”](#) T.M.C. Asser, the Hague (2009); “Poland’s move toward massive agricultural biogas development ,“ BizPoland.pl (July 2008); “Removing Obstacles to Renewable Energy Investment in New Member States,” Technical Paper, Bioenergy Conference (Sofia 2008); [“Business Issues Arising from the Environmental Liability Directive,”](#) Green Pages (2008); “What does the renewable energy mandate mean for Poland? “BizPoland.pl (April 2008); “EU Environmental Rules Close First Polish Businesses: Can Yours Be Next?” Biznes Polska newspapers (June 2007); “Legal Solutions to Market Obstacles for Accelerated Use of Biomass Fuel,” Mott & Nawrocki, International Bioenergy Forum, Sofia, April 2007; “Environmental Liability For Waste Contamination In Central Europe: A Review Of Owner, Operator And Generator Obligations” CHWMEG Annual Conference NYC November 2006; “Jak radzić sobie z problemami ochrony środowiska,” Biznes Polska newspapers (January 30, 2006); “Poland’s Contaminated Land Law: A Reality Check,” Eastern European Review (2005); “Environmental Shock Therapy: Polish Business Faces The New IPPC Rule,” [American Investor](#) (American Chamber of Commerce Poland, Jan. 2003)(also published in Polish in *Ekotechnologia* newsletter); “Dealing With The Impact Of Enlargement On District Heating And Power Plants,” EU Enlargement and the Power Sector (GDS Publications, London, July 2003); "Implications of Poland's Adoption of EU Environmental Rules," [Central Europe Review](#), 1999; "New Superfund Allocation Procedures Present New Problems," [Environmental Counselor](#) August 1994; “Aquifer Restoration under CERCLA: New Realities and Old Myths,” 23 [BNA Environment Reporter](#) 130 (August 1992); “Minimizing Lender Environmental Liability: The Most

Common Mistakes,” 3 Toxic Law Reporter 861 (1989); “Surviving the Superfund Nuclear Weapon: Defense of Administrative Orders,” National Law Journal September 1989; “Handling Environmental Problems in Business Transactions,” The Environmental Counselor April 1989; Co-author, “CERCLA Limitations Statute on PreEnactment Response Costs,” 3 Toxic Law Reporter 1404 (1989); Hazardous Waste Litigation After The Rcra And Cercla Amendments 1987 (ed. Randy M. Mott) (Practising Law Institute, NY 1987); “Remedial Selection Under CERCLA,” Practicing Law Institute (1985); “Evolving Legal Concepts in Liability for Leaking Underground Storage Tanks,” Geraghty & Miller, Inc., ed. "Leaking Underground Storage Tanks: Managing the Problem" ; “[Liability for Inactive Waste Sites](#),” Natural Resources Lawyer July 1980.

LECTURER: “Problems With the European Commission State Aid Guidelines on Environmental Protection,” PowerGen Europe, Amsterdam 2015; Polish Economic Chamber for Renewable Energy (2013-2014); Green Power conferences (2012); ICM (Geneva, Switzerland), “International Electronic Waste Recycling,” Salzburg, Austria (2011); European Insurance Association (2007); American Chamber of Commerce in Poland, Environmental Committee (2005-2006); American Chamber of Commerce in Hungary, Environmental Committee (2006); Bulgarian Confederation of Employers (2006); British-Polish Chamber of Commerce (2006-2007); Chairman of Hazardous Waste Litigation Annual Conferences, Practising Law Institute from 1981-1991; Lecturer for Inside EPA Superfund conferences from 1983-91; Chairman of New Jersey Environmental Law Conferences, Federal Publications from 1990-92; Lecturer on RCRA and CERCLA for Executive Enterprises Environmental Conferences for 1983-90.

INTERESTS: Synod representative/Warden for Anglican Church in Poland, Chairman of Republicans in Poland; military history and strategy (former infantry officer, Commandant’s List, Infantry Officer Basic, Ft. Benning).