



Stephen P. Samuels

Counsel

ssamuels@fbtgibbons.com | 614.559.7259

One Columbus Center
10 West Broad Street, Suite 2300
Columbus, OH 43215

Industries

Energy

Oil, Gas & Minerals

Renewables

Practice Areas

Environmental

Bar Memberships

Ohio

Stephen has been practicing environmental law in Ohio, and regionally, for forty years. He has served as trial counsel in hundreds of cases before the federal and Ohio state courts, the Environmental Review Appeals Commission, and the Reclamation and Oil and Gas Boards of Review; and has provided counsel and representation in myriad matters before USEPA, Ohio EPA, Michigan DEQ, West Virginia DEP, and the Ohio legislature.

Stephen has extensive experience in judicial and administrative compliance and enforcement proceedings, environmental and natural resource permits, and rulemaking on behalf of industry, local and state governments, developers and property owners, advocacy groups, and individuals in all major environmental programs, including the Clean Water Act, RCRA, CERCLA, TSCA, NEPA, the Safe Drinking Water Act, the Clean Air Act and their state counterparts.

He assists private and public clients in defending administrative and judicial enforcement proceedings; obtaining and negotiating the terms of permits required by state and federal environmental and natural resource laws; defending and prosecuting private environmental claims; coordinating environmental assessments and environmental audits of property and businesses; preparing real estate purchase contracts, leases and other documents to ensure sound management of environmental risks in purchasing, selling and leasing property, and conducting business. He also assists business owners, cities, developers, inventors, and contractors with the broad spectrum of issues associated with "green" development and business practices. He has been engaged by other environmental counsel as an expert witness, mediator, and arbitrator. Stephen is a member of the environmental law committees of the American Bar

Association, the Ohio State Bar Association, and the Columbus Bar Association.

Prior to joining FBT Gibbons, Stephen was a partner with another large law firm; founded and was managing partner of a boutique environmental law firm in Columbus, Ohio; was Chief of the Court of Claims Section of the Attorney General's Office (AGO), where he managed all litigation for money damages brought against the State of Ohio, its agencies, boards, hospitals and elected officials; was Trial Attorney and Litigation Supervisor of the Environmental Enforcement Section of the AGO, where he was engaged as senior counsel in hundreds of court and administrative proceedings in all environmental and natural resource program areas; and was in-house counsel to the Ohio Environmental Protection Agency.

Other Info About Stephen

Experience

Fairfield County, Ohio – Successful appeal to Ohio Supreme Court challenging TMDL-based permit limits.

Confidential Client – Defense of USEPA/OEPA judicial enforcement action for alleged NPDES/CSO/SSO Clean Water Act violations.

Chair, Implementation Committee, tasked with development of new Ohio nutrient rules.

Clermont County, Ohio – Hazardous waste permitting and litigation involving large TSD facility; defense of OEPA judicial enforcement for alleged NPDES violations at seven treatment plants.

City of Wooster – NPDES permitting and defense of CWA enforcement; negotiated solids handling/energy recovery/generation contract.

Akron Thermal Limited Partnership – Defense of USEPA air enforcement proceeding; bankruptcy.

Confidential Client – Negotiated particulate emission credits.

Confidential Client – Served as expert witness in litigation over liability for RCRA clean-up.

Custodial Trustee – Negotiated with multiple states and USEPA regions governing investigation and remediation of numerous contaminated sites; private litigation regarding groundwater contamination.

Lockheed Martin Corporation/Exxon Mobil Corporation – Defense of CERCLA claim.

City of Toledo – Defense of CERCLA claim; beneficial re-use of closed landfill.

Confidential client – Claim for reimbursement/indemnification for cleanup of hazardous waste site.

Successful administrative challenges to myriad OEPA-issued NPDES and other permits.

Defense of numerous administrative and judicial enforcement (including criminal) actions brought by Ohio EPA and USEPA.

Education

Northeastern University School of Law, J.D., 1974

University of Michigan, B.A., 1970

Courts

The Supreme Court of the United States

United States Court of Appeals for the Sixth Circuit

United States District Court – Northern District of Ohio

United States District Court – Southern District of Ohio

Recognition

The Best Lawyers in America®: Environmental Law, 2007–2027,
“Lawyer of the Year,” 2014, 2016, 2017, 2018, 2021;
Litigation—Environmental, 2011–2027

Chambers USA, Natural Resources & Environment, 2005–2022;
Senior Statesperson 2023–2026

Selected to Ohio Super Lawyers, 2004–2026; Top 50 lawyers in Columbus, 2015

Selected for inclusion in Central Ohio's Top Lawyers by *Columbus CEO Magazine*, 2020, 2022, 2025

Litigation Counsel of America, Senior Fellow

Named to Lexology Index: Who's Who Legal, Environment, 2016–2024

Professional Affiliations

Member, American Bar Association

Member, Ohio State Bar Association

Member, Columbus Bar Association

Adjunct Professor, Capital University School of Law

Presentations

"New and Emerging Water Management Issues," Manufacturers' Education Council, Environmental Permitting in Ohio Conference (July 22, 2015)

"TMDL: The Implications of the Ohio Supreme Court Decision in *Fairfield County v. Ohio EPA*," Ohio State Bar Association Environmental, Energy and Resources Seminar (April 25, 2015)

"Total Maximum Daily Loads – A Means to An End, or An Endless Means?" Ohio RCAP 2014 Small Town Big Futures Conference (August 14, 2014)

"The Future of Nutrient Regulation in Ohio," Ohio RCAP 2014 Small Town Big Futures Conference (August 14, 2014)

"Nutrient Regulation in Ohio," Ohio Water Environment Association (September 25, 2013)

"*Fairfield County v. Ohio EPA*: TMDLs, Water Quality Standards and Effluent Limitations," Ohio State Bar Association Environmental, Energy & Resources Seminar (April 19, 2012)

"Environmental Issues in the Siting of Renewal Energy," Ohio State Bar Association (April 8, 2011)

"Environmental Issues in Land Use Development," Ohio State Bar Association – Land Use and Zoning Conference (May 27, 2010)

"NPDES Permits – Phosphorus and Total Dissolved Solids Effluent Limitations," Sanitary Engineers Conference (June 2, 2009)

"Case Study of Flood Litigation," Ohio Society of Professional Engineers/American Society of Civil Engineers (May 27, 2009)

"Requirements for American Companies Doing Business in the European Union – Complying with REACH" (February 17, 2009)

"In the Trenches of the Battle between Public Sewers and the Owners of Private Systems," County Sanitary Engineers Association of Ohio (December 3, 2007); Ohio Municipal League (October 4, 2007)

"The Use of Custodial Trusts for Remediation of Contaminated Property," Central Ohio Association of Corporate Counsel (September 26, 2007)

"The Turbid Future of Ground Water in Ohio" – An analysis of ground water rights and liabilities in the aftermath of *McNamara v. City of Rittman*," Ohio State Bar Association (April 22, 2006)

"Environmental Issues in Land Use Development – Stormwater management, wetlands preservation, Brownfields development," Ohio State Bar Association (April 12, 2006)

"Both Sides of the Fence: A Legal Perspective of CMOM"—An analysis of the legal, and economic issues confronting host and satellite communities in implementing the Capacity, Management, Operations and Maintenance Program," Ohio Water Environmental Association (May 1, 2003)

"Minimizing Government and Private Enforcement Exposures," Executive Enterprises, Inc.(October, 1990)

"Citizen Suits" and "Whistleblower Protections in Environmental Law," Ohio Environmental Regulation Conference (October 11th, 2002)

1990)

"Hazardous Waste and Natural Resource Damages Litigation," State of West Virginia, Department of Health (June 28, 1988)

Major Publications

"Analysis of the Nationwide Implications of the Ohio Supreme Court decision in *Fairfield Cnty. Bd. of Comm'rs v. Nally* on TMDL Legislation and Litigation," Bloomberg BNA, Environment Report Practitioner Insight, April 10, 2017

"Publicly-Owned Treatment Works Face Increased Controls for Phosphorus Removal," The Ohio Municipal League, *Cities & Villages Magazine*, January/February 2009

"Unintended Stormwater Consequences" (an analysis of flooding liability), *CE News*, February, 2009

"The Emerald City" (creating and developing sustainability practices to advance municipal economic growth and community development), The Ohio Municipal League, *Cities & Villages Magazine*, December 15, 2008

"Healthy Connections: In the Trenches of the Battle between Public Sewers and the Owners of Private Systems," The Ohio Municipal League, *Cities & Villages Magazine*, September/October 2007

"The Mold Challenge in Ohio – The Present State of Mold Litigation," National Business Institute, June 13, 2003

"Environmental Contamination: Federal and State Requirements," AGC Regional Environmental Seminar – Region 5, November, 2002

"The Environmental Law Handbook, 1991," published by the Ohio Bar Liability Insurance Corporation

"Avoiding Environmental Liability in Ohio," published by the National Business Institute, Inc., 1991

Featured Articles

[United We Stand, Divided We Fall: Local Sewer Authorities and Biosolids Management Companies Need to Work Together](#)

[POTW Alert! U.S. EPA's Upcoming Information "Request" for PFAS Information and Potential Sampling Warrants Careful Review and Consultation with Legal Counsel](#)

[Public-Private Partnerships in a Post-Pandemic World](#)

[Supreme Court Creates New Standard for Clean Water Act Jurisdiction Over Discharges to Groundwater](#)

[Governor DeWine Issues Order to Address PFAS in Ohio's Drinking Water](#)

[TMDL Legislation Provides Limited Window of Opportunity for Ohio's Sewer Utilities to Challenge Existing Permit Limits](#)

[CDFA Releases Report: "Puerto Rico 127 Corridor Roadmap to Redevelopment"](#)

[Columbus members investigate a brownfield site in Puerto Rico](#)

[Ohio Supreme Court holds that Ohio EPA's TMDLs and Phosphorus Target Values must go through rulemaking](#)

[Sixth Circuit Issues Important Clean Water Act Permit Shield Decision](#)

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