

William M. Seuch

Director

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Bill Seuch is an experienced and practical environmental lawyer with a reputation for problem solving and getting deals done. He handles a wide range of environmental issues associated with real estate transactions, corporate mergers and acquisitions, financings and urban/industrial redevelopments.

A substantial part of his practice involves helping developers, buyers, sellers, tenants and lenders understand, anticipate and manage Brownfields issues. He also represents clients in environmental cost recovery actions and advises corporate clients on a variety of environmental due diligence, compliance and permitting issues.

In *Chambers USA*, Bill has been called "*unstoppable*," "*practical*" and "*a rock star*." He is praised for his "*vast substantive knowledge, creativity, excellent judgment and sophisticated and practical understanding of the area*." Bill is a Director with the firm and a member of the Firm's Executive Committee.

Accolades

- *Chambers USA*, Environment, Massachusetts, 2018 - 2022 (Band 2)
- *Best Lawyers in America*® (2010-2019, 2022-2023): Environmental Law
- "America's Leading Business Lawyers," *Chambers USA* 2006-2018 (ranked "Band 1")
- Massachusetts Super Lawyers, 2004, 2006 - 2022
- New England Super Lawyers, 2018
- Practical Law Company Guide for Environmental Lawyers, 2011

Affiliations

- *Pro Bono* environmental work for a number of non-profit and affordable housing groups
- Newton Youth Sports - coached YMCA, NAA and Metro West Basketball, Little League Baseball and Newton Youth Soccer (BAYS travel and intramural)

Admissions

- Massachusetts
- District of Columbia

Education

- Georgetown University Law Center (J.D., 1990)
- University of Connecticut (B.A., *cum laude*, 1987)

Representative Matters

Advised Lender for Manufacturing Plants

Advising lenders in connection with environmental issues, including issues associated with a revolving credit facility secured by several large aluminum manufacturing plants.

AXA IM Alts and its Affiliates in one of the Largest Industrial Portfolio Acquisitions of 2020

Representation of AXA IM Alts and its affiliates in one of the largest industrial portfolio acquisitions of 2020. The portfolio consists of 27 assets in Chicago, Houston, Los Angeles, Central New Jersey, Dallas, South Florida, Southern New Jersey and Atlanta. In a significant step in its strategy to grow a U.S. wide logistics platform, AXA IM Alts, on behalf of clients and through a joint venture with Cabot Properties, Inc., acquired the 7,984,000 s/f portfolio for approximately \$875 million, through a share purchase of a REIT previously managed by Cabot Properties. Representation included all matters related to property diligence, structuring, joint venture, purchase, financing, tax and environmental considerations of the property, including tax and structuring issues relating to cross-border investments.

Permitting

Representation of owners and operators in connection with air, water, wetlands and other permitting and regulatory compliance issues.

Landfills

Representing of Jordan's Furniture and other "big box" retailers in connection with the construction of retail complexes on top of a landfills, including advice regarding "closure requirements," lender requirements and potential environmental liabilities. Handled environmental due diligence, implemented activity and use limitations (i.e. environmental deed restructuring), negotiated environmental cost reimbursement agreements, developed strategies for achieving regulatory closure and helped craft environmental reports for lenders and investors.

Corporate Deals - Manufacturing Facilities

Representing corporate buyers, sellers and operators in connection with the manufacturing facilities located in the United States, Canada and China, including environmental due diligence and “baseline” testing, permit transfers, contractual risk allocation, regulatory compliance associated with air emissions, waste water discharges and hazardous materials storage and the implementation of Activity and Use Limitations and other deed restrictions.

Transformation of Historic Properties

Representation of a real estate investment company in connection with the transformation of two historic properties. Handled all environmental due diligence, implemented activity and use limitations (i.e. environmental deed restructuring), negotiated environmental cost reimbursement agreements, developed strategies for achieving regulatory closure and crafted environmental reports for lenders and investors.

Retail Complexes Built On Landfills

Representing of owners in connection with the construction of retail complexes on top of a landfills, including advice regarding “closure requirements,” lender requirements and potential environmental liabilities.

Air Quality Issues

Representing building owners in connection with indoor air quality issues.

Purchase of Parcels Associated with Superfund Site

Representation of buyers in connection with the purchase of parcels associated with Superfund sites, including negotiations with MADEP, USEPA and the U.S. Department of Justice regarding Prospective Purchaser Agreements and environmental deed restrictions at the Industri-Plex Superfund Site.

Representation of the Boston Redevelopment Authority

Representation of the Boston Redevelopment Authority in connection with the Boston Convention and Exhibition Center project, the former Modern Electroplating site, and the acquisition of a former waterfront oil terminal, including environmental due diligence, cost recovery negotiations/litigation, Massachusetts Contingency Plan (“MCP”) regulatory guidance (e.g. securing “Special Project Status”) and environmental risk management work.

Environmental Litigation and Cost Recovery

Representation of plaintiffs and defendants in environmental cost recovery actions, including the representation of Potentially Responsible Parties (“PRPs”) in federal and state superfund cases and obtaining multi-million dollar recoveries for plaintiffs in M.G.L. c. 21E (e.g., cases involving cyanide in soil and chlorinated solvents in groundwater).

Sale of Manufacturing Facility

Representing a seller in connection with the sale of a manufacturing facility, including contractual risk allocation and the implementation of an Activity and Use Limitation.

Purchase and Redevelopment of Previously Contaminated Properties

Ongoing representation of numerous developers, including AvalonBay Communities, Inc., Boston Properties, DivcoWest Real Estate Investments, Costco Wholesale Corporation, Mill Creek Residential and the NRP Group in connection with the purchase and redevelopment of previously contaminated properties, including a former pesticide manufacturing plant, oil terminals, a former car manufacturing plant, historic mills, landfills, a former camera manufacturing facility and a former asphalt batching plant (e.g., consultant management, regulatory guidance, advice regarding purchase and sale agreements and environmental indemnification agreements, lender requirements and environmental insurance).

Boston Redevelopment Authority in Connection with the Boston Convention and Exhibition Center

Representation of the Boston Redevelopment Authority in connection with the Boston Convention and Exhibition Center project, the former Modern Electroplating site, and the acquisition of a former waterfront oil terminal, including environmental due diligence, cost recovery negotiations/litigation, Massachusetts Contingency Plan (“MCP”) regulatory guidance (e.g. securing “Special Project Status”) and environmental risk management work.

Environmental Representation for Property Management and Redevelopment

National representation of Beacon Capital Partners in connection with environmental due diligence and environmental issues arising in connection with property management and redevelopment.

Environmental Representation of Major Hospitals and Medical Centers

Representation of Boston Children’s Hospital and Beth Israel Deaconess Medical Center in connection with various environmental issues, including environmental due diligence, environmental insurance placements and claims, drafting complex purchase and sale agreements and ground leases, environmental cost recovery claims, environmental risk management, air emissions and waste water discharge issues, asbestos management and pharmaceutical waste issues.

Environmental Representation of Major Universities

Representation of Harvard University and the Massachusetts Institute of Technology in connection with various environmental issues, including the redevelopment of previously contaminated properties, environmental insurance placements and claims, green construction projects, and issues associated with contaminated building materials.

Property Management

National representation of property owners, including Beacon Capital Partners and AvalonBay Communities, Inc., in connection with environmental issues arising in connection with property ownership/management, including drinking water, PCB contaminated building materials, mold, asbestos, lead paint, and indoor air quality issues.

Publications

July 9, 2018

Get Your Mass. Brownfields Tax Credits For 5 More Years

Law360

June 2018

Are You Getting All of Your Brownfields Tax Credits?

January 2014

"Manulife Spends \$618M On Gateway City Office Assets," Law360