

PRACTICES:

- Environment, Energy & Product Regulation
 - Air Quality
 - California Environmental Law and Policy
 - Proposition 65
- CERCLA, Remediation and Brownfield Redevelopment
- Chemicals, Pesticides and Product Regulation
 - Pesticides
 - Proposition 65
 - Toxic Substances Control Act (TSCA)
- Hazardous Waste Management and Materials Transportation
- National Environmental Policy Act (NEPA)
- Occupational Safety and Health (OSHA)
- Litigation
- Public Policy and Regulatory Affairs
 - Drugs
 - Food

INDUSTRIES:

- Aerospace and Defense
- Chemicals



Stanley W. Landfair

Partner - San Francisco

slandfair@mckennalong.com

101 California Street
Floor 41
San Francisco, CA 94111-5886

TEL: 415.267.4170

FAX: 415.267.4198

Experience

Stanley W. Landfair is an environmental law authority, counseling companies in the chemicals, aerospace, electronics and other manufacturing industries on both the legal and the technical aspects of environmental compliance, particularly in the areas of process chemistry and affect production processes. He has represented his clients before a variety of administrative forums, state and federal courts, United States Courts of Appeal and the U.S. Supreme Court.

Mr. Landfair is particularly known for his expertise in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and counterpart laws in California that regulate the manufacture, distribution, sale and use of pesticides. He counsels clients regularly regarding their requirements under these laws, and has defended numerous enforcement actions by U.S. EPA and state agencies against manufacturers and distributors of pesticides. Mr. Landfair also is known for his vigorous prosecution and defense of claims regarding the intellectual property rights of companies that submit trade secret health and safety testing data to federal and state agencies under FIFRA and various state laws.

Mr. Landfair also is widely known for his experience in the federal Toxic Substances Control Act (TSCA) and similar laws in other countries that regulate the manufacture, distribution and use of chemicals in the United States and around the world. He has defended manufacturers of chemical, petroleum, aerospace and electronic products in major TSCA enforcement actions brought by the U.S. EPA in Washington, DC, New Jersey, Pennsylvania, Illinois and California.

In California, Mr. Landfair is a recognized authority on "Proposition 65," the popular name for the State's Safe Drinking Water and Toxic Enforcement Act of 1986. He has defended well over a thousand companies against "failure to warn" claims under the Act, arising from the sale and use of products containing chemicals such as asphalt (asphalt roofing materials), chromium (orthodontic devices), DEHP (intravenous feeding devices), mercury (dental amalgam), lead (firearms and bullets, cookware, pipe nipples), nicotine (smoking cessation devices), TCE (dry cleaning fluid), tobacco smoke (cigarette smoke in hotels) and toluene (bulk chemicals, paints, spray paints). Mr. Landfair won landmark victories in the case of *As You Sow v. Shell Oil Company*, resulting in a ruling by the federal Occupational Safety and Health Administration (OSHA) and the San Francisco Superior Court that Proposition 65 cannot be enforced against out-of-state manufacturers of workplace chemical products; and *Consumer Defense Group v. ARCO*, resulting in a ruling that the Proposition 65 "discharge prohibition" does not give rise to bounty-hunter claims at thousands of gas stations for the "passive migration" of chemicals after a discharge occurs. Mr. Landfair also has advised and represented many companies and industry task forces in preventing the unwarranted listing of chemicals under Proposition

+ Publications:

- *Pesticide Regulation Handbook*, McKenna Long & Aldridge, LLP, (2007), co-author.
- *The TSCA Handbook*, 4th Edition, Government Institutes, (2006), co-author.
- "Judging the Effectiveness of the Proposition 65 Reforms: Is the Worst (Best) Over, or is the Worst (Best) to Come?" *Prop 65 News Conference and Seminar*, (March 29, 2004), co-authored with Ann G. Grimaldi.

+ Professional Activities:

- State Bar of California
- The District of Columbia Bar
- Virginia State Bar

65.

Mr. Landfair is ranked by Chambers USA 2009 as one of the leading Environmental lawyers in California.

Education

- J.D., Georgetown University Law Center, 1978
- B.A., Butler University, 1975

Admitted

- California
- District of Columbia
- Virginia
- U.S. Supreme Court
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Ninth Circuit