

FOULSTON

ATTORNEYS AT LAW



CHARLES P. EFFLANDT

PARTNER

WICHITA OFFICE

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PROFILE

For more than 40 years, Mr. Efflandt has assisted businesses of all sizes, lenders, trusts, and individuals navigate the complexities of environmental law. His practice includes representing clients in environmental litigation and administrative enforcement actions arising under both federal and state law. Mr. Efflandt works with the firm's M&A lawyers to focus and implement environmental diligence activities and draft transaction documents. He has substantial experience counseling clients in matters arising under most federal environmental statutes, as well as a wide-range of state statutes and regulations. Overall, Mr. Efflandt's priority is to solve client problems as quickly and inexpensively as possible using his expertise and years of experience working with regulators.

Mr. Efflandt was one of only twenty-two environmental attorneys nationwide named a Charter Fellow and elected as a Founding Regent of the American College of Environmental Lawyers. Mr. Efflandt enjoys Martindale-Hubbell Law Directory's highest "AV" rating for lawyers and has been selected by his peers for inclusion in *The Best Lawyers in America*®, the *Missouri & Kansas Super Lawyers*® list, and *Chambers USA* as a leading environmental lawyer in the United States. In 2011, 2013 and 2018, he was named by *Best Lawyers*® the Wichita Environmental "Lawyer of the Year." His peer memberships include the Kansas Association of Defense Counsel.

Education

- University of Kansas (J.D., 1976)
- Cornell University (B.S in Engineering, 1972)

Admissions

- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Kansas
- Kansas (1976)

PRACTICE AREAS

- Environmental Law
- Energy
- Renewable Energy, Storage & Transmission
- Real Estate

INDUSTRIES

- Energy & Natural Resources
- Real Estate

RELEVANT EXPERIENCE

Mr. Efflandt's knowledge and experience in the area of environmental law is extensive. He has represented clients throughout Kansas, as well as other states, in environmental litigation, regulatory and transactional matters. He has represented potentially responsible parties (PRPs) and PRP groups at numerous Superfund/CERCLA sites in Kansas and elsewhere. Mr. Efflandt was a key participant in the development of an innovative Superfund site program involving a partnership of PRPs, lenders and municipal government that received national attention and acclaim. He has successfully represented clients in a wide-range of environmental matters including RCRA/hazardous waste compliance, permitting and enforcement; Clean Water Act permitting, enforcement and wetlands matters; greenhouse gas regulatory compliance matters; agribusiness permitting, compliance and related litigation; administrative appeal matters; community right-to-know counseling and enforcement; and environmental matters related to oil and gas production, refinery facilities and storage tank operation and releases.

Mr. Efflandt has represented clients in litigation involving federal environmental statutes and regulations, including Superfund cost recovery and contribution actions and RCRA citizen's suit actions, as well as state environmental property damage and personal injury actions. In the course of his extensive regulatory practice, Mr. Efflandt has developed working relationships with many legal and technical representatives of the United States Environmental Protection Agency, Region VII, the Kansas Department of Health and Environment and other state and municipal environmental agencies.

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- American College of Environmental Lawyers Charter Fellow and Founding Regent
- Recognized by Best Lawyers® as the 2011, 2013, and 2018 Wichita Environmental "Lawyer of the Year"

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- Selected by peers for inclusion in *The Best Lawyers in America*® in the areas of Environmental Law and Litigation – Environmental, 1993-2024
- Selected for inclusion in Missouri & Kansas Super Lawyers® List , 2005-2009, 2013-2014 (a Thomson Reuters business)
- Identified by Chambers USA as a leading lawyer in the United States in the area of Environmental Litigation (2005-2011) and General Commercial Litigation (2012)
- American Bar Association Member of Section of Environment, Energy and Resources
- Kansas Bar Association
- Wichita Bar Association Fee Disputes Committee, Past Vice-Chairman
- Kansas Association of Defense Counsel

PUBLICATIONS

1999

- Overview of Kansas Environmental Law
-BNA Environmental Due Diligence Guide
- When The Tail Wags The Dog: Environmental Considerations and Strategies In Business Acquisitions, Sales and Merger Transactions
-39 Washburn Law Journal 28

1996

- Chapter entitled CERCLA/Kansas Law On Hazardous Substance Releases
-KBA Environmental Law Book

1993

- Underground Storage Tank Regulations
-Wichita Business Journal

1992

- CERCLA/Kansas Law On Hazardous Substance Releases
-Kansas Bar Association ENVIRONMENTAL LAW HANDBOOK

1990

- An Overview of Civil Litigation Under ERISA
-Journal of the Kansas Bar Association

ISSUE ALERTS

2006

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- Managing Environmental Risks in Property and Business Acquisitions: The New “All Appropriate Inquiry” Rule