SpencerFane®

Carlota (Coty) Hopinks-Baul

Of Counsel

Contact
Chicago
P 512.840.4555 | **F** 512.840.4551
chbaul@spencerfane.com



Overview

Carlota (Coty) Hopinks-Baul advises clients on a wide range of environmental, safety, and health issues including federal and state regulation of discharges to groundwater and surface waters, as well as drinking water, air, hazardous and non-hazardous waste, chemical releases, and workplace exposure matters.

She helps clients decipher complex regulations, develop permit applications and supporting environmental review documents, appeal adverse permitting decisions, defend against enforcement actions and citizen suits, develop compliance plans, and respond to notices, information requests, internal audit findings, and subpoenas. Coty also helps clients identify and assess environmental issues in corporate and real estate transactions, such as reporting, cleanup liability, and "due care" requirements, and negotiate with agencies and other potentially responsible parties at contaminated sites.

Coty has represented clients in the agricultural, mining, chemical manufacturing, transportation, financial, energy, and communications industries. Her experience in the food and agribusiness industry includes representation of agriculture seed, fertilizer and pesticide manufacturers, and food processing and distribution companies; stone and hard rock mining companies in the mining industry; and pesticide manufacturers in the chemical manufacturing industry.

Prior to entering private practice, Coty worked in the public and private sectors in environmental testing and quality control, developing practical technical knowledge and abilities that inform her current legal work. She spent time in the public works, municipal waste management and public utility (including industrial wastewater regulation) sectors and uses this experience to better understand the issues facing her clients.

Education

- Creighton University School of Law (J.D.), *cum laude*
- The University of Texas at Austin (B.A.)

Bar Admissions

- Illinois, 2010
- Missouri, 2009
- Nebraska, 2007
- Texas, 2015

Court Admissions

- U.S. Supreme Court
- U.S. District Court for the District of Nebraska

Distinctions

- The Missouri Bar, Young Lawyers Section, Pro Bono Award, 2012
- Missouri Bar, Pro Bono Wall of Fame, 2012, 2014-2015, 2018-2019

Presentations and Publications

- "County of Maui Revisited: How the First Application of the 'Functional Equivalent' Standard for Discharges to Groundwater Went Wrong," American Bar Association, January 2022
- "Legally Speaking: CWA's Permit Shield Spans SMCRA," *Coal Age*, June 1, 2021
- "The Tide Turns," *Rock Products*, March 11, 2021
- "Implementation of Navigable Waters Protection Rule," *Rock Products*, October 22, 2020

Related Experience

- Provided environmental compliance advice to food processors, transportation, and various manufacturing clients regarding discharges to surface water and groundwater, assisting clients in obtaining Army Corps of Engineers permits and wastewater and stormwater discharge permits by preparing applications, appealing adverse decisions, and negotiating with regulators.
- Counseled international agricultural and chemical manufacturing clients regarding environmental compliance audits and disclosure of violations, applicability of occupational safety and hazardous waste regulations, responding to investigation and enforcement notices, and compliance with permits and consent orders.
- Advised food processors and chemical manufacturers on waste disposal, beneficial re-use, and product labeling requirements.
- Assisted investors and large financial institutions with evaluating environmental liabilities in commercial transactions and related disclosures.
- Assisted chemical manufacturing clients with complying with state programs governing the cleanup and redevelopment of contaminated sites.