

LANSING

123 West Allegan St.
Suite 200
Lansing, Michigan 48933
T: +1.517.483.4933
O: +1.517.487.2070
F: +1.517.374.6304

chester@millercanfield.com

Services

Environmental
Financial Services

Industries

Automotive
Financial Institutions

Education

Wayne State University Law
School, J.D. 1981

Michigan State University, B.S.
1977

Bar Admissions

Michigan

Court Admissions

United States Court of Appeals

- Sixth Circuit

United States District Court

- Eastern District of Michigan
- Western District of Michigan

United States Supreme Court



Steven E. Chester

Of Counsel

Steven Chester assists clients with all environmental issues.

He returned to Miller Canfield after serving 2 1/2 years as Deputy Assistant Administrator for the EPA's Office of Enforcement and Compliance Assurance in Washington, D.C. There, he had policy and supervisory responsibilities over the water, federal facility, chemical and criminal enforcement programs, as well as the compliance, data collection, and state oversight programs.

From 2003 to the end of 2009, Steve served as Director of the Michigan Department of Environmental Quality (DEQ), the highest ranking environmental regulatory position in the state. As Director of Michigan's environmental protection agency, he was responsible for overseeing the management of Michigan's air and water resources, solid and hazardous waste, oil and gas, land management, and remediation and redevelopment programs, in addition to administering a \$350 million budget and leading a staff of 1,400 people.

While DEQ Director, he was successful in securing greater protection of Michigan's water resources and the Great Lakes by advocating for water withdrawal and invasive species legislation. Additionally, he guided the Michigan Climate Action Council in developing a climate action plan to mitigate the adverse impacts of greenhouse gases on the state's residents and environment, pursued significant reductions in mercury emissions from coal-fired power plants, and chaired an initiative to develop the first comprehensive environmental justice plan for Michigan.

Before being named DEQ Director, Steve worked in the private sector for Miller Canfield after several years of public service, first as an Assistant Prosecuting Attorney for the Wayne County Department of Health, Air Pollution Control

Steven E. Chester

Division, then as an Assistant Michigan Attorney General, then, with the EPA, as Deputy Enforcement Counsel for Hazardous Waste Enforcement, and as the Deputy Director for the Office of Criminal Enforcement.

Representative Matters

Steve has extensive public and private sector experience in administering and overseeing state and federal environmental programs, and providing environmental litigation assistance and legal counsel to corporate and municipal clients.

- Served as co-environmental counsel for the purchaser of the RACER Willow Run "Arsenal of Democracy" site located in Ypsilanti Township, providing environmental expertise in the review and drafting environmental covenants and easements, obtaining a federal prospective purchaser agreement, and assessing buyer's environmental liability, due diligence and due care obligations.
- Advises clients on compliance and regulatory matters associated with a broad range of federal and state environmental laws, including air, water, wetlands, critical dunes, inland lakes and streams requirements, among others.
- Provides advice and counsel on environmental due diligence and transactions involving the purchase and sale of contaminated properties and brownfield sites.
- Represented an automotive parts manufacturer in obtaining a written determination from the state environmental agency that its test facility for recalled air bag inflators did not require a hazardous waste treatment license.
- Provided transaction support to a Chinese-based client in the multi-million dollar purchase of a large float glass manufacturing facility, including retaining a consultant, reviewing reports, assessing environmental risks, and performing environmental due diligence for the site that included Phase I and II Environmental Site Assessments and a Compliance Review of Environmental Permits.
- Served as EPA Deputy Assistant Administrator providing policy and management oversight of EPA's compliance and enforcement programs, including the water (including wetlands), federal facility, NEPA, chemical, and criminal enforcement programs, and EPA's compliance, data collection and state oversight programs.
- Provided leadership and supervisory support in implementation of the EPA Integrated Municipal Stormwater and Wastewater Planning Framework promoting the use of green infrastructure for the management of wastewater and stormwater.
- Represented corporate and municipal clients before federal and state regulators to resolve environmental regulatory, compliance, and remediation disputes, including representation of automotive, automotive supply, paper and food production facilities.
- Served as Director of the Michigan Department of Environmental Quality and Cabinet Member responsible for the oversight and management of Michigan's air quality, water and wetland resources, solid and hazardous waste, oil and gas, land management, and remediation and redevelopment programs.
- Chaired the 35-member Michigan Climate Action Council in the development of a climate action plan to mitigate the adverse impacts of greenhouse gases on Michigan's residents and resources.

Steven E. Chester

- Co-chaired a multi-stakeholder initiative on energy efficiency and clean technology development to diversify and grow Michigan's economy, reduce energy costs, and improve environmental quality.
- Secured greater protection of Michigan's water resources and the Great Lakes by advocating for water withdrawal and invasive species legislation, and preventing open water disposal of sediments.
- Represented clients in environmental litigation, including Detroit Public Schools as co-counsel in a federal lawsuit involving the remediation and construction of Beard Elementary School.
- Supervised development of legal and investigative policy guidance on national environmental crimes enforcement matters, and served as liaison to the Department of Justice and United States Attorneys' Offices, while Deputy Director of EPA's Office of Criminal Enforcement.
- Represented the State of Michigan in state and federal litigation to enforce both federal and state environmental laws, and as appellate advocate before the Michigan Court of Appeals, Michigan Supreme Court, and the U.S. Sixth Circuit Court of Appeals.
- Served as assistant prosecuting attorney representing the Wayne County Air Pollution Control Division on air pollution regulatory, compliance and enforcement matters.

Teaching

Michigan State University College of Law, Adjunct Professor, "Climate Change Law and Policy," Winter 2011

Honors

Michigan Lawyers Weekly Hall of Fame, Class of 2021

Fellow, American College of Environmental Lawyers

Best Lawyers in America, Environmental Law, 1995-present

Professional Activities

American Bar Association

Section of Natural Resources, Energy, and Environmental Law

SEMCOG Water Resources Task Force for Southeast Michigan, Member, 2016-present

State Bar of Michigan

Environmental Law Journal, Former Assistant Editor

Environmental Law Section, Council Member, 1989-95

Administrative Law Section

Small Business Clean Air Act Compliance, Advisory Panel

Steven E. Chester

Air and Waste Management Association
Director, East Michigan Chapter, 1997-2001

Center for Climate Strategies, Chair, Board of Directors, 2015-present; Board of Advisors, 2010-present

Michigan State Bar Foundation, Fellow, 2007-present

Michigan State University Sustainability Advisory Group, 2010-2011

The Environmental Counsel of States
Chair, Compliance Committee, 2008-2010
Chair, Water Committee, 2005-2007

Civic, Cultural & Social Activities

Ingham East Habitat for Humanity
President, 2002-2003
Board of Directors, 1996-2003

Williamston Community Schools
Trustee, Board of Education, 2002-2006

Michigan Campaign Finance Network
Board of Directors, 1998-2003

Publications

Co-author with Thomas D. Peterson and Robert B. McKinstry of the article "Unlocking Willpower and Ambition to Meet the Goals of the Paris Climate Change Agreement (Part One): Shifting Needs of Law, Policy, and Economics," *The Environmental Law Reporter*, December 2016, Vol. 46, No. 12.

Co-author with Robert B. McKinstry and Thomas D. Peterson of the article "Unlocking Willpower and Ambition to Meet the Goals of the Paris Climate Change Agreement (Part Two): The Potential for Legal Reform and Revision," *The Environmental Law Reporter*, February 2017, Vol. 47, No. 2.

Co-author with Thomas C. Phillips and James R. Lancaster Jr. of chapter on "Environmental Law," in *Local Government Law and Practice in Michigan*, published jointly by the Michigan Municipal League and the Michigan Association of Municipal Attorneys, 2000

"Promoting Environmental Compliance Through Innovative Programs - More Carrot and Less Stick," *Michigan Bar Journal*, January 1997, Vol. 76, No. 1

"An Overview of EPA's Guidance on Criminal Investigative Discretion," *National Environmental Enforcement Journal*, November 1994, Vol. 9, No. 10

Steven E. Chester

"Environmental Crimes Enforcement," Environmental Update on Topics in EPA Region V, American Bar Association, Section on Natural Resources, Energy, and Environmental Law, June 1994

"The Clean Air Act Amendments of 1990: An Introduction," Laches, June 1992, No. 317

"Environmental Crimes Enforcement," Environmental Update on Topics in EPA Region V, American Bar Association, Section on Natural Resources, Energy, and Environmental Law, June 1994

"Applicability of EPA's 'Timely and Appropriate' Enforcement Guidance to State and Local Enforcement Actions against Significant Air Violations," July 1986, Air Pollution Control Association (with Brian Morrow)

Articles

Environmental Due Diligence in Real Estate Transactions During the COVID-19 Crisis

Complying with Environmental Regulations During COVID-19 Shutdowns/Slowdowns