



JULIE E. O'KEEFE

PARTNER

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Julie O'Keefe's niche practice spans both environmental and occupational safety and health, which sets her apart from other lawyers, who typically handle one or the other, but rarely both. Governmental agencies she routinely deals with include, among others, the Occupational Safety and Health Administration (OSHA) and state counterparts, the Mine Safety and Health Administration (MSHA), the U.S. Environmental Protection Agency (EPA) and state counterparts. She has represented businesses in regulatory matters in virtually every state in the U.S. For non-governmental transactional matters, Julie's regulatory experience allows her to understand environmental risks and eliminate non-issues.

When dealing with governmental agencies, Julie asserts positions that are effective, yet will not needlessly antagonize the agency. She respects her client's goals. She usually knows the personality and priorities of the regulator on the other side of the table. Julie knows that governmental officials often do not respond to litigation tactics in the same way as private litigants. Julie has been recognized several times on the list of Missouri/Kansas Super Lawyers Top 50 Women, which is based upon peer review.

For businesses, Julie is the face of the company when dealing with the EPA, the Missouri Department of Natural Resources, the Illinois EPA and other state environmental agencies in matters involving laws such as the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Emergency Planning & Community Right-to-Know Act (EPCRA), Clean Air Act, FIFRA, California Proposition 65, Clean Water Act and the negotiation and performance of remedial investigation/feasibility studies and engineering evaluation/cost analyses. She advises clients in matters involving site assessments, remediation activities, compliance violations, contracts and due diligence during sale or acquisition of real estate, asset sales and stock sales. She also handles CERCLA cost recovery actions and California Proposition 65 actions.

As an OSHA practitioner, Julie counsels companies in willful, serious and repeat citations and criminal investigations. Julie has tried many OSHA cases at the Occupational Safety and Health Review Commission and state administrative tribunals.

Well-versed in environmental and OSHA issues, Julie frequently presents seminars to clients, trade associations and industry groups.

SERVICES AND INDUSTRIES

Corporate

Employment and Labor

Environmental

Governance and Compliance

Manufacturing and Innovation

Agribusiness and Food

ADMISSIONS

Missouri

Illinois

U.S. District Court, Eastern

District of Missouri

U.S. Court of Appeals, Seventh

Circuit

EDUCATION

- Saint Louis University School of Law (J.D., 1988)
- Illinois State University (B.S., 1985)

PROFESSIONAL ACTIVITIES

- The Missouri Bar
- Illinois State Bar Association
- Safety Council of Greater St. Louis (Board of Directors)

ACCOLADES

- Missouri Lawyers Weekly Power List, Environmental and Energy Law (2022, 2023)
- The Best Lawyers in America®, Environmental Law (2010-present); Lawyer of the Year (2022)
- Chambers USA: America's Leading Lawyers for Business in Environmental Law (2009-present)
- Missouri/Kansas Super Lawyers® (2009-present); Super Lawyers®, Business Edition (2011-present); Super Lawyers®, Top 50 Women Missouri & Kansas (2011, 2013, 2014)
- AV® Peer Review Rated, Martindale-Hubbell

EXPERIENCE

Defended Company Performing Cleanup at Superfund Site

Defended company who performed \$28 million environmental cleanup of PCBs, asbestos and TCE at Superfund site, formerly used for automotive manufacturing, under Administrative Settlement Agreement and Order on Consent. The site is located in a residential area and will be transformed into a recreational facility.

Representation of Manufacturing Company in Soil and Groundwater Cleanups

Represented manufacturing company in soil and multi-plume groundwater cleanups of PCBs and solvents in Missouri. Persuaded EPA to pursue separate source of groundwater contamination. Site is located in close proximity to drinking water wellfield.

Six Citations Vacated for Electrical Equipment Manufacturer

Defended manufacturer of electrical equipment in OSHA evidentiary hearing where issues all involved possible electrocution hazards associated with high voltage equipment. The Administrative Law Judge vacated all six citations that were issued.

Successful Outcome in Cases Related to Misinterpretation, Misapplication of Lockout/Tagout Standard

Defended numerous employers in cases in which OSHA was persuaded that it misinterpreted or misapplied the lockout/tagout standard.

\$34 Million Company Asset Sale

Represented a client in the \$34 million sale of client assets and related companies. This

was a multi-state transaction of the largest producer and distributor of rubber mulch in the United States.

Favorable Result for Company Cited in Violation of OSHA Silica PEL

Defended company that received citation alleging exceedance of OSHA's silica PEL. Convinced OSHA the sample results were invalid, resulting in withdrawal of citation.

Secured Withdrawal of OSHA Citations for Manufacturing Client

Defended company that received two willful citations under OSHA lead standard when manufacturing with leaded brass. OSHA withdrew both willful citations.

Secured Withdrawal of OSHA Citations Relating to Hexavalent Chrome Standard

Defended company that received 14 citations under OSHA's hexavalent chrome standard, including alleged exceedance of PEL. OSHA withdrew 12 of 14 citations.

Reduced Penalties for Dairy Farm in Fatalities Following OSHA SVEP Placement

Defended dairy farm in two separate fatality cases that resulted in repeat OSHA citations and placement on OSHA Severe Violator Enforcement Program (SVEP). At conclusion of negotiation, company was removed from SVEP and penalties were cut by 75%.

Defended Magnesium Recycler in EPA Cost Recovery Action

Defended magnesium recycler in EPA cost recovery action in Pennsylvania including negotiating consent decree and private party allocation.

Successfully Resolved Matter for Company in OSHA Severe Violator Enforcement Program

Defended company placed in OSHA Severe Violator Enforcement Program (SVEP) involving combustible dust explosion and serious injuries. The case was settled with no willful violations and the company was removed from SVEP.

Citations Vacated for Client in Fatality Involving Construction Crane

Defended company in an OSHA evidentiary hearing involving a fatality on a crane. At the conclusion of the hearing, the Administrative Law Judge vacated all citations.

Citations Vacated for Client in OSHA Evidentiary Hearing

Defended company in OSHA evidentiary hearing in which company asserted that installation of wood trusses constituted steel erection. Administrative Law Judge agreed and vacated the citations.

No Prosecution for Client in Multiple Fatality Case Referred to the U.S. Attorney

Defended a company in a multiple fatality case that resulted in an OSHA referral to the U.S. Attorney for prosecution. After meeting with the U.S. Attorney, no prosecution resulted.

No Willful Violations in Case Involving Availability of Rescue Boat

Defended company in OSHA evidentiary hearing involving facility and availability of rescue boat. The Administrative Law Judge determined violation was not willful.

Defense of Construction Company in OSHA Evidentiary Hearing

Defended a construction company in an OSHA evidentiary hearing and established the affirmative defense of supervisory employee misconduct. Administrative law judge vacated the citation.

Defended Publicly Traded Company in Cleanup of VOCs, Lead

Represented publicly traded company performing environmental cleanup of VOCs and

lead under the Unilateral Administrative Order at a wildlife refuge in Illinois that was a WWII ordnance plant.

No Negligence in MSHA Mine Fatality

Persuaded MSHA to make a determination of no negligence in a mine fatality in which the employee was struck by equipment being hoisted.

No Negligence in MSHA Fatality

Persuaded MSHA to make a determination of no negligence in a mine fatality in which an employee became pinned inside a piece of equipment.

Multimillion-Dollar Settlement for Publicly Traded Railroad Facing Environmental Claims

Obtained multimillion-dollar settlement for a publicly traded railroad in environmental claims involving diesel fuel and PCB spills, and numerous signal battery disposal sites against predecessor in interest.

Successfully Defended Contractor in Arbitration Against Seven-Figure Claim

Defended general contractor in seven-figure claim brought by an asbestos contractor in arbitration. Arbitrator's award to asbestos contractor was 5% of the amount sought and was less than the general contractor had offered in settlement.

Successfully Defended Used Oil Recycler Following Alleged Sale of Contaminated Oil

Defended used oil recycler in sale of alleged contaminated oil to customer. Jury awarded recycler all costs for unpaid shipments of oil, and awarded \$3,000 to customer after four-day trial.

No Willful Violations for Publicly Traded Company

Defended publicly traded company in a two-week OSHA evidentiary hearing involving multiple alleged willful violations at a meat plant. At the conclusion of the hearing, the Administrative Law Judge determined there were no willful violations.

Defended Client in Waste Regulation Action Affirmed on Appeal

Defended client in an action against the Missouri Air Conservation Commission. The judge invalidated Missouri medical waste, industrial waste and sewage sludge incinerator regulations in the first of the "no stricter than" cases brought under the Missouri Clean Air Act. The decision was affirmed on appeal by the Missouri Court of Appeals.