



Ann M. Zwick

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Areas of Practice

Environmental/Natural Resources Law | Real Estate Law | Zoning, Planning and Land Use

Ann Zwick is a Partner in the Environmental Law and Real Estate Practice Groups of Smith, Gambrell & Russell, LLP. Ms. Zwick was a Partner at Freeborn & Peters, which combined with SGR in 2023.

Ms. Zwick has in-depth knowledge and experience in all aspects of environmental law, with a focus on the solid waste and scrap metal industries and air regulatory matters. Her previous experience as an attorney with the Illinois Environmental Protection Agency has provided her with invaluable knowledge in representing clients before environmental agencies and governmental bodies, and assisting businesses in a regulated industry.

Ms. Zwick also has considerable experience in land use and zoning matters, and has successfully obtained development and zoning approvals for industrial, commercial, and residential developers.

Her practice includes:

- Counseling clients on regulatory compliance matters, permitting, enforcement actions, permit appeals, public hearings, site remediation and Ann has successfully defended appeals before the Illinois Pollution Control Board and Illinois Appellate Court.
- Representing national and local waste hauling and disposal companies in local siting proceedings, Title V permitting matters, regulatory compliance matters, enforcement actions and litigation.
- Counseling clients on responding to Clean Air Act Section 114 requests for information, performing self-audits, and navigating environmental justice permitting matters.
- Representing small start-ups to large national corporations in dispute resolution, negotiating and drafting contracts, and regulatory compliance counseling.

Ms. Zwick joined Freeborn in 1994 after having been associated with the Illinois Environmental Protection Agency and McDermott, Will & Emery. While at the Illinois EPA, Ms. Zwick co-authored legislation establishing the Clean Air Act Permit Program (CAAPP) in Illinois.

Ms. Zwick earned her B.S. from the University of Illinois at Urbana-Champaign, *with highest honors*, and her J.D. from Northwestern University School of Law, *cum laude*.

Representative Experience

- Represented the largest scrap metal recycler in the Midwest in obtaining a construction permit from the Illinois EPA. The facility will be located in an environmental justice area and involved significant public comment. The Illinois EPA held its first virtual public hearing on the permit application.
- Advised client in revamping its business plan and operational practices to reopen following a government-requested shutdown due to elevated air emissions.
- Represented client in obtaining an air construction permit for a lead refiner in an EJ area involving air dispersion modeling.
- Represented client in obtaining first of its kind air construction permit from the Illinois EPA issued under the Information Resolution Agreement with USEPA to resolve Title VI of the Civil Rights Act of 1964 allegations and environmental justice concerns.
- Counseled clients on performing stack testing to demonstrate compliance with permit limits and National Emission Standards for Hazardous Air Pollutants (NESHAP) standards.
- Counseled clients on performing air dispersion modeling associated with permitting decisions.
- Counseled a landfill owner on revised New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs) to control landfill gas emissions.
- Representation of numerous facilities in the defense of federal and state environmental enforcement actions.
- Represented clients in local siting proceedings for numerous solid waste landfills and transfer stations.
- Negotiated and drafted numerous host agreements with local governmental bodies.
- Successfully defended appeals of a local siting decision before the Illinois Pollution Control Board and Illinois Appellate Court.
- Represented client in obtaining approval for a broadly applicable alternative test method from USEPA to perform quarterly surface emissions monitoring at municipal solid waste landfills.
- Counseled scrap metal recyclers and refiners as potentially responsible parties (PRPs) on useful products and Superfund Recycling Equity Act defenses to arranger liability under CERCLA.
- Represented client in obtaining a Section 404 permit from the U.S. Army Corps of Engineers.
- Represented a manufacturer in developing OSHA compliance policies with on-site contractors.

- Represented landfill owners in litigation and enforcement actions involving landfill gas emissions, odors, and alleged disposal of unpermitted TENORM waste.
- Represented a landfill owner in an administrative appeal of a corrective action plan approved by the state environmental agency for the disposal of unpermitted waste.
- Represented clients in responding to U.S. Environmental Protection Agency (USEPA) Clean Air Act Section 114 information requests.
- Counseled clients on conducting environmental, health and safety (EHS) audits and self-disclosure to governmental agencies under State and Federal audit rules.
- Represented clients on negotiating and appealing state permit conditions.
- Counseled client on compliance with the Pipeline and Hazardous Materials Safety Administration (PHMSA) regulations for landfill gas pipelines.
- Counseled client on compliance with U.S. Department of Transportation (DOT) Hazardous Materials Regulations (HMR) and import/export rules.
- Counseled clients on compliance with USEPA regulations to control the release of CFCs and other refrigerants.
- Natural gas power plant siting project in the Chicago suburbs.
- Permitting and zoning approvals for compost facilities.
- Remediation of property under state voluntary cleanup programs.
- Regulatory compliance counseling and environmental permitting of industrial facilities.
- Represented a media company in obtaining zoning approval for a state-of-the-art Doppler weather radar tower.
- Represented an ethylene oxide manufacturer in local land use and zoning matters.
- Represented an industrial client in negotiating water rates with a municipality.
- Represented a commercial property owner in negotiating and drafting a chilled water service agreement to obtain chilled water for cooling and air conditioning purposes.

Admissions

Illinois

Memberships

Chemical Industry Council of Illinois, Member

Air and Waste Management Association, Lake Michigan States Section

- Board of Directors; Chair (Present)
- Board of Directors; Co-Chair Annual Air Conference (2021, 2022)
- Waste Conference Committee (multiple years)
- Air Conference Committee (multiple years)
- Moderated Panels at the Annual Waste Conference (multiple years)

- Annual Air Conference (multiple years)

Recognitions

Chambers-USA Guide to America's Leading Lawyers for Business – Environment: Litigation, 2023 (cited in multiple years)

Perry Fisher Award Recipient, Air & Waste Management Association Lake Michigan States Section, 2022

Illinois Leading Lawyers - 2020 (cited in multiple years)