



Donald E. Sobelman

Partner

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With more than 25 years of experience, Don Sobelman helps clients navigate the complexities of federal and California environmental law. His multifaceted practice encompasses administrative enforcement defense, civil litigation in state and federal court, compliance with regulations and permits, contaminated site cleanup and redevelopment, and transactional due diligence.

Don has tackled a diverse range of environmental law matters, including:

- Serving as lead counsel for clients in administrative proceedings and civil litigation in trial and appellate courts involving state and federal statutes (such as CERCLA/Superfund, RCRA, the Clean Water Act, the Porter-Cologne Water Quality Act, and Proposition 65) and governmental authorities (such as the United States Environmental Protection Agency (EPA), the California Department of Toxic Substances Control (DTSC), the California Regional Water Quality Boards (RWQCBs), and county district attorneys);
- Litigating complex environmental tort and nuisance actions involving personal injury and property damage claims related to contamination;
- Resolving contractual disputes and claims arising from environmental indemnities;
- Ensuring compliance with local, state, and federal regulations and permits pertaining to hazardous materials, hazardous waste, groundwater and stormwater quality, wetlands, and indoor air quality; and;
- Managing sites requiring investigation, risk assessment, and remediation to address vapor intrusion and/or soil and groundwater contamination, including from volatile organic compounds (VOCs) such as PCE and TCE, metals such as lead and hexavalent chromium, PFAS compounds, petroleum products, pesticides, and PCBs.

Don's practice also routinely involves advising clients on the purchase, sale, and redevelopment of brownfields and other properties. He manages all aspects of the environmental due diligence process, negotiates indemnities for environmental liabilities, and assists clients with obtaining insurance coverage for environmental risks. In addition, Don helps developers navigate the California Environmental Quality Act (CEQA) and land use entitlements process, including with respect to general plan amendments, zoning revisions, and conditional use permits. He has significant experience as lead counsel in CEQA and land use litigation in both trial and appellate courts.

Don's clients benefit from his multidisciplinary approach to solving their problems and advancing their goals. By efficiently and effectively collaborating with technical experts with relevant specialties, he ensures that his clients obtain the best possible advice when deciding how to address complex environmental issues.

Active in his community, Don represented pro bono the South Valley Islamic Center (SVIC) in San Martin, California with respect to the CEQA and permit process for SVIC's Cordoba Center—a 16-acre project including a mosque, community center, and cemetery. The project was approved by unanimous vote of the Santa Clara County Board of Supervisors in December 2019.

Distinctions

- *Best Lawyers in America*, Litigation-Environmental (2018-2026), Environmental Law (2022-2026), Litigation—Land Use and Zoning (2025-2026)
- *The Lawdragon Green 500: Leaders in Environmental Law* (2023-2025)
- Northern California *Super Lawyers* in Environmental Litigation (2014-2025)

Services

- Environmental Law
- Environmental Litigation
- Environmental Regulatory / Compliance
- Extended Producer Responsibility
- Appellate Litigation
- Consumer Products + Manufacturing
- Clean Energy
- Hazardous Substances and Wastes
- Land Use / Development
- Mergers & Acquisitions
- Natural Resource Protection
- Per- and Polyfluoroalkyl Substances (PFAS)
- Product Liability and Stewardship
- Proposition 65 Counseling and Defense
- Real Estate
- Real Estate Litigation and Dispute Resolution

Education

- Harvard Law School (J.D., 1996)
 - *cum laude*
 - managing editor, *Harvard Environmental Law Review*
- University of California, Los Angeles (B.A., 1991)
 - *summa cum laude*, Phi Beta Kappa

Bar Admissions

- California

Court Admissions

- U.S. District Court (N.D. Cal.)
- U.S. District Court (C.D. Cal.)
- U.S. District Court (E.D. Cal.)
- U.S. District Court (S.D. Cal.)
- 9th U.S. Circuit Court of Appeals
- U.S. Supreme Court

Memberships and Affiliations

- California Bar Association, Section on Environmental Law
- Bar Association of San Francisco, Environmental Law Section
- Association of Environmental Professionals

Publications

December 4, 2025

PFAS or Not?: TOF Analysis Poses Tough Challenges for Identifying PFAS

ABA Environmental & Energy Litigation Committee

December 3, 2025

EPA Proposes Amendments to PFAS Reporting Requirements Under TSCA Section 8(a)(7)

December 1, 2025

EPA's New Webpage States that Pesticides Containing a Single Fluorinated Compound Do Not Contain PFAS

November 11, 2025

California Updates PFAS Notification and Response Levels in Drinking Water

November 10, 2025

California Initiates Development of Public Health Goal for PFHxS in Drinking Water

October 24, 2025

Risks Remain for Housing Developers After Recent CEQA Reforms

The Recorder

October 16, 2025

Governor Newsom Vetoes SB 682 Due to Concerns With the Impact on Affordable Cooking Products

October 16, 2025

Supreme Court Denies Review of Ruling That Party Found Liable Under CERCLA Section 107 Not Entitled To Declaratory Relief Under Section 107

October 13, 2025

EPA Expands PFAS TRI Reporting: PFHxS-Na Now Subject to Disclosure Requirements

September 22, 2025

EPA Confirms Intent to Maintain CERCLA Listing of PFOA and PFOS, Plans for Upcoming PFAS Rulemaking

September 9, 2025

Forever Chemicals and the Wine Industry A New Vintage of Liability Concerns (Webinar)

August 28, 2025

Court Extends Stay Again in PFAS CERCLA Challenge

August 9, 2025

EPA Request To Lift Stay in PFAS Suit Granted by D.C. Circuit

August 6, 2025

Legislation Banning "Forever Chemicals" in Food Packaging in California by 2028 Will Likely Become Law

July 28, 2025

Risks Remain For Housing Developers After Recent CEQA Reforms

July 11, 2025

EPA Seeks a Fourth Abeyance to Reassess Its 2024 Designation of PFOA and PFOS as CERCLA Hazardous Substances

June 7, 2025

Sixth Circuit Rules that Party Found Liable under CERCLA Section 107 Is Not Entitled to Declaratory Relief for Future Cleanup Costs under Section 107

June 4, 2025

EPA Continues Reassessment of its 2024 Designation of PFOA and PFOS as CERCLA Hazardous Substances

May 20, 2025

Calif. Climate Superfund Bill Faces Legal, Technical Hurdles

Law360

May 15, 2025

EPA Announces It Will Keep Drinking Water Limits for PFOA and PFOS, But Rescind Limits for Four Other PFAS Compounds

May 12, 2025

EPA Announces Interim Rule Further Delaying TSCA Section 8(a)(7) PFAS Reporting by Nine Months

April 29, 2025

Comment Period Extended Again for Federal PFOA/PFOS Risk Assessment for Sewage Sludge Applied to Agricultural Land as Fertilizer

April 21, 2025

California Legislation Banning Wide Range of PFAS-Containing Products (SB 682) Moves Forward in Senate Committees

April 14, 2025

Industrial Company Files Action Challenging EPA Disclosure of Confidential Business Information Submitted to EPA During Enforcement Action Proceedings

March 24, 2025

California Legislature Sets First Hearing on New "Climate Superfund" Bill That Would Impose Wide-Ranging Liability on Fossil Fuel Industry

March 18, 2025

EPA Signals Potential Change of Position Regarding Key 2024 PFAS Rulemakings

March 18, 2025

Comment Period Closing in 30 Days (April 16) on Federal PFOA/PFOS Risk Assessment for Sewage Sludge Applied to Agricultural Land as Fertilizer

February 19, 2025

"Forever Chemicals" and Their Impact on the Wine Industry

Wine Industry Education Series

January 15, 2025

EPA Releases Draft Risk Assessment for PFOA and PFOS in Biosolids

January 7, 2025

EPA Announces Automatic Addition of Nine Additional PFAS to Toxics Release Inventory

December 31, 2024

EPA Announces Draft Human Health Criteria for Three PFAS in Waterbodies

December 10, 2024

EPA Issues Supplemental Proposed Rule Updating SNURs for 17 PFAS

December 2, 2024

Biden-Harris Administration Announces Release of EPA's Third Annual Progress Report on the PFAS Strategic Roadmap

November 22, 2024

Defense Insights As PFAS Consumer Product Claims Rise

Law360

October 22, 2024

EPA Proposes Addition of 16 Individual and 15 Categories of PFAS to the TRI

October 2, 2024

California AB 2515 signed into law, establishes significant penalties for the manufacture and sale of menstrual products containing regulated PFAS

September 9, 2024

EPA Publishes Direct Final Rule Delaying TSCA Section 8(a)(7) PFAS Reporting by Eight Months

September 4, 2024

Multi-State Petition to EPA Seeks Listing of Four PFAS Compounds as Hazardous Air Pollutants Under the Clean Air Act

August 22, 2024

CEQA Decoded: Air Quality Analysis for Bay Area Projects

August 22, 2024

Petition to EPA Seeks Cancellation and Suspension of Pesticide Registrations and Other Action Under FIFRA, Related to PFAS Content

July 31, 2024

Pending Legal Challenge to EPA Designation of PFOA and PFOS as CERCLA Hazardous Substances

July 2, 2024

CalRecycle Publishes Updated Covered Material Categories List As Part of California's EPR Law

June 24, 2024

Fourth Circuit Affirms that Federal Courts Lack Jurisdiction to Review EPA Grant of Petition Under TSCA to Test Fifty-Four PFAS

June 13, 2024

Two Legal Actions Challenge New EPA Maximum Contaminant Levels (MCLs) for Six PFAS in Drinking Water

June 11, 2024

CalRecycle Issues RFP for SB 54 Disposal Facility-Based Material Characterization Study

May 29, 2024

Notice of Intent to Sue EPA Under TSCA Given Regarding PFOA in Fluorinated Plastic Containers

May 20, 2024

Federal Legislation Passed to Support Airports' Transition to PFAS-Free Firefighting Foams

May 20, 2024

The Recent SB 343 Preliminary Findings Report: Recycling the Law of Unintended Consequences in California

May 8, 2024

“All Appropriate Inquiries” Will Need to Consider PFOA and PFOS for Property Acquisitions Closing on or After July 8, 2024

April 30, 2024

A Mixed Bag: EPA's PFAS Enforcement Policy Under CERCLA May Protect Some From Liability to EPA, But Potentially Not From Liability To Other Parties

April 23, 2024

The European Commission's Guidance on Essential Uses May Influence PFAS Legislation in the U.S.

April 22, 2024

New PFAS Listing Under Superfund Will Lead to Major Expansion of Liability

April 19, 2024

EPA Announces New Rule Designating PFOA and PFOS as Hazardous Substances Under CERCLA, Issues Enforcement Policy Not to Pursue Certain Entities

April 18, 2024

New PFAS Federal Drinking Water Standards Create Major Liability and Litigation Risk

April 17, 2024

Fifteen California Cities and Water Districts File a Lawsuit on the Heels of EPA's Announcement of MCLs for PFAS in Drinking Water

April 15, 2024

A Familiar Name Among the Recent NPL Listings – the Now-Bankrupt Exide Technologies

April 11, 2024

EPA Announces Enforceable Contaminant Levels for Six PFAS in Drinking Water

April 9, 2024

OEHHA Adopts Public Health Goals for PFOA and PFOS in Drinking Water

March 26, 2024

Appeals Court Holds EPA Exceeded Authority Under Section 5 of TSCA, Vacates Orders

March 15, 2024

Environmental Groups File Suit to Obtain Access to PFAS-Related TSCA Documents Containing Claimed CBI

March 8, 2024

EPA Releases New Methodology to Detect PFAS in Plastic Containers as Part of Ongoing Efforts to Address PFAS in Pesticides and Other Packaging

March 7, 2024

California's SB 903 Would Ban PFAS in Products Unless Determined a Currently Unavoidable Use

March 7, 2024

FDA Announces Voluntary Market Phase-Out of Grease-Proofing Substances Containing PFAS for Use in Food Packaging

March 4, 2024

ASTM E1527–21 Is Now the Required ASTM Standard for All Appropriate Inquiries

March 4, 2024

Seven New PFAS Added to the Toxics Release Inventory for Reporting Year 2024

March 4, 2024

EPA Proposes Adding Nine PFAS As Hazardous Constituents Under RCRA

November 28, 2022

Regulatory and Litigation Risks From California's New Recycling Laws

Industry Today

September 23, 2022

How New Climate Change CEQA Thresholds Will Impact Bay Area Development Projects

CJ Higley and Don Sobelman

March 10, 2021

New Proposition 65 Warning Requirements for Cannabis and Hemp-Derived Products

Cannabis Industry Education Series

February 23, 2021

Cannabis and Hemp-Derived Products Subject to New Prop. 65 Warning Requirements in California

Cannabis Business Times

January 20, 2021

Cannabis Industry, Including CBD Products, Subject to New Proposition 65 Warning Requirements

June 16, 2020

Key PFAS Regulatory Standards Set in California

Industry Today

June 5, 2020

New Screening Levels for Key PFAS Chemicals Will Spur Regulatory Action at Contaminated Sites

May 22, 2020

Supreme Court Ruling Expands Reach of Clean Water Act NPDES Permitting

California Ag Net

April 23, 2020

Major Supreme Court Ruling Expands Reach of Clean Water Act NPDES Permitting to Certain Discharges to Groundwater

Experience

Thakur v. Trump Litigation: Legal Challenge to Termination of Federal Grants to UC System

This class action lawsuit was filed in federal court in San Francisco in June 2025 on behalf of University of California researchers whose grants were abruptly terminated without any individualized consideration or process, pursuant to President Trump's Executive Orders. The lawsuit asserts that the government's grant terminations violate the Administrative Procedure Act and the class members' constitutional rights, including their First Amendment right to free speech and Fifth Amendment right to due process.

On June 23, U.S. District Court (Northern District of California) Judge Rita F. Lin issued a class-wide preliminary injunction, ordering the government to cease grant terminations under President Trump's and the agencies' unlawful directives, and to reinstate previously-terminated research grants from the EPA, NSF, and NEH across the UC system.

On August 21, the U.S. Ninth Circuit Court of Appeals denied the federal government's motion to stay Judge

Lin's preliminary injunction order. By its ruling, the appellate panel kept in force the district court's preliminary injunction, ensuring that grant funding will continue to flow while the government's appeal of the injunction continues.

On September 22, the District Court issued a second injunction, ordering the government to cease grant terminations by DOD, DOT, and NIH, and to reinstate grants previously terminated by those agencies.

On November 24, plaintiffs filed (1) motion for leave to file third amended complaint, adding class plaintiffs with affected DOE grants, and (2) motion for preliminary injunction seeking reinstatement of these grants, similar to the prior injunctions granted against EPA, NSF, NEH, DOD, DOT, and NIH.

Copies of the complaint, key court orders, and legal briefs in the litigation may be accessed here.

Defense and Settlement of Cost Recovery Claims at Superfund Sites

Represented potentially responsible parties in many of the major multi-party CERCLA litigation matters and settlement processes concerning Superfund sites in California over the last two decades, including the Exide secondary lead smelter site in Vernon, the Casmalia Resources waste disposal site in Santa Barbara County, the BKK Corporation landfill in West Covina, the Mouren-Laurens waste oil site in Los Angeles, the Cooper Drum site in Los Angeles, the Modesto Ground Water Contamination site, and the Goodrich/RFF Site in Rialto.

Environmental Litigation with Regulatory Overlay

Jointly defended two companies in environmental cost recovery action concerning drilling mud disposal site. Obtained voluntary dismissal of the action following extensive negotiations with Regional Water Quality Control Board concerning the site remedy.

Brownfields Cleanup to Accommodate Development

Represented municipality in negotiations with responsible party and DTSC concerning remediation of former smelter site to accommodate mixed-use development.

Defense of Claims of Groundwater/Water Supply Contamination

Defended client in state court cost recovery action asserting HSAA and common law claims, brought by a California water district concerning aquifer contamination by TCE and other VOCs.

Defense of DTSC Enforcement Actions

Represented client in DTSC enforcement actions related to releases of hazardous waste (air emissions of mercury) and hazardous waste characterization/disposal issues. Included development of responses to detailed DTSC requests for information under Health and Safety Code section 25185.6 and negotiations over timing and process for client's return to compliance.

Successful Defense on Appeal Against Toxic Tort Claims

Successfully defended manufacturer against toxic tort claims in trial court and appellate litigation, resulting in published California Court of Appeals decision limiting application of component parts doctrine.

Defense at Trial of Environmental Toxic Tort Claims

Represented key defendants at trial in a lawsuit brought by more than 2,000 plaintiffs alleging personal injuries and property damage resulting from exposure to hexavalent chromium emanating from a wood treating facility.

CEQA Compliance/Litigation Defense

Acted as lead counsel for a municipality in (1) development and approval of environmental impact report for a

large transportation infrastructure project, and (2) defense of city in resulting litigation, resulting in key published CEQA decision.

PCB Cleanup to Facilitate Sale and Residential Redevelopment

Advised client with respect to implementation of TSCA-compliant PCB remediation at former plant site, to facilitate sale and residential redevelopment of property.

Internal Investigation and Negotiation of Settlement with USEPA

Conducted internal investigation for client related to USEPA enforcement action for unpermitted filling of wetlands. Responded to USEPA request for information under Clean Water Act section 308(a) and negotiated administrative order on consent providing for mitigation and minimal penalty.

Defense and Settlement of Clean Water Act (CWA) Citizen Suits

Representation of numerous clients – including recycling facilities, wineries, and landfills, – with respect to private CWA enforcement of California's general permit for industrial storm water discharges.

South Valley Islamic Center Cordoba Center

With the help of Farella Braun + Martel Partner Don Sobelman, South Valley Islamic Center (SVIC) won approval for its 16-acre Cordoba Center Project in San Martin, California. Learn more [here](#).

Far Niente Family of Wineries & Vineyards

Represented Napa Valley luxury wine producer Far Niente Family of Wineries & Vineyards in its acquisition of the Provenance Vineyards real estate in Rutherford, Calif. from Treasury Wine Estates. Far Niente purchased the property as the new home for its Bella Union brand. Farella also advised Far Niente on the concurrent sale of the Provenance brand and inventory to Lodi, Calif.'s Thomas Allen Vineyard & Wines.

Outside the Office

Ever since he was an English major at UCLA, Don's favorite downtime activity has been to curl up on the sofa with a novel, play, or book of poetry, preferably while listening to some good music (favorites run from John Coltrane to J.S. Bach to The Smiths). He also spends far too much time indulging his passion for cinema, particularly classic Hollywood movies and foreign films.

Don and his wife live in the Pacific Heights neighborhood of San Francisco, where they enjoy frequenting the many excellent local restaurants and running to the Golden Gate Bridge and back (the latter being necessary due to the frequent meals). They are Medallion Society members with San Francisco Opera, and they always spend one week each year in Paris – the City of Lights being the only place they like as much (okay, maybe more) than the City by the Bay.