

R. Timothy Weston

Senior Of Counsel

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OVERVIEW

Tim Weston has a practice focused on environmental counseling and litigation, energy development, natural resources management, and related administrative and legislative issues. He is a member of the firm's Policy and Regulatory practice. With five decades years of experience, he has handled a broad spectrum of complex project development, natural resources, transactional, infrastructure privatization and public-private partnership projects, regulatory, and environmental permitting, and litigation matters.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Tim served for eight years as Assistant Attorney General for the Pennsylvania Department of Environmental Resources, providing counsel for a wide range of natural resource and environmental protection programs, including the Pennsylvania State Water Plan and water resource management activities. From 1979 to 1987, Tim served as Associate Deputy Secretary for Resources Management in the Department of Environmental Resources, and as Commissioner on the Delaware and Susquehanna River Basin Commissions. During his tenure with DER, Tim was actively involved in the development of significant environmental and water resources legislation. Tim has published numerous law review articles in the field of environmental regulation and natural resource management.

ACHIEVEMENTS

- Recognized by *The Best Lawyers in America*® in Harrisburg, Pennsylvania
  - Energy Law, 2018, 2027
  - Environmental Law, 2018, 2027
  - Land Use and Zoning Law, 2027
  - Water Law, 2018, 2027
- Recognized by *Chambers USA* for Environment in Pennsylvania, 2002-2026
- Recognized by *The Legal 500 United States* as a Recommended Lawyer

  - Environment: Transactional, 2024-2026
  - Environment: Regulatory, 2024
- Recipient of the Pennsylvania Bar Association Environmental and Energy Law Section Lifetime Achievement Award, 2019
- Recognized as a key player in southwestern Pennsylvania by the *Pittsburgh Business Times* "Who's Who in Energy" list, 2015-2016

PROFESSIONAL / CIVIC ACTIVITIES

- Citizens Advisory Council to the Pennsylvania Department of Environmental Protection, Vice Chair, 2012-present
- Pennsylvania Statewide Water Resources Committee (responsible for development and adoption of Pennsylvania State Water Plan, Chair, 2017-present
- Pennsylvania Super Lawyers, 2008-2018
- *Who's Who in Energy* published by the American City Business Journals in Dallas, Denver, Houston, Pittsburgh and San Antonio, 2015-2016
- Samuel Baxter Memorial Award, conferred by the Water Resources Association of the Delaware River Basin, 2001 (highest award for lifetime contributions to water management in the mid-Atlantic region)
- American Bar Association (Section on Environmental, Energy and Resources)
- Pennsylvania Chamber of Business & Industry (past member of Board of Directors)
- Harrisburg University for Science & Technology (Board of Trustees, Former Chair)
- Pennsylvania Bar Association
- Dauphin County Bar Association

SPEAKING ENGAGEMENTS

- "Rising Tide Issues in Water," Pennsylvania Bar Institute Environmental Law Forum, Harrisburg, Pennsylvania, 2023
- "Stormwater and Chesapeake Bay Compliance, *Pennsylvania Chamber of Business & Industry Annual Environmental Conference*, Lancaster, Pennsylvania, 2017
- First Steps in the Process, National Council for Public Private Partnerships, P3 Bootcamp, Philadelphia, Pennsylvania, 2017
- Public-Private Partnerships 101, National League of Cities, Washington, D.C. 2017
- Stream Bed Ownership in Pennsylvania, *Pennsylvania Bar Institute*, Cannonsburg, Pennsylvania, 2016

- The Framework for Public Private Partnerships, National Council for Public Private Partnerships P3Connect Conference, Chicago, Illinois, 2016
- Now what do I do? A private environmental lawyer's role in air and water permitting, *Pennsylvania Bar Institute Environmental Law Forum*, Harrisburg, Pennsylvania, 2015
- "Water Transfers and NPDES Permits," *Environmental Updates Program,* Pennsylvania Bar Institute, 2006

EDUCATION

- J.D., Harvard Law School, 1972 *(cum laude; Editor-in-Chief, Harvard Civil Rights-Civil Liberties Law Review)*
- B.A., University of California, Santa Barbara, 1969 *(cum laude; mathematics; Phi Beta Kappa)*

ADMISSIONS

- Bar of Pennsylvania
- Supreme Court of the United States
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- 7 May 2026, PA Supreme Court Holds That Municipal Stormwater Charge Is a Tax, Not a Fee
- 25 March 2020, COVID-19: Businesses Face Supply Chain Challenges as Pandemic Triggers State ‘Stay at Home' and Business Curtailment Orders
- 4 March 2018, What’s The Point (Source)? New Developments in the Ongoing Debate Concerning Clean Water Act Jurisdiction over Indirect Discharges via Groundwater
- 11 July 2017, Pennsylvania Supreme Court Issues Transformative Decision in Environmental Rights Amendment Case
- 6 June 2016, Supreme Court Authorizes Judicial Review of Clean Water Act Jurisdictional Determinations Over Federal Government’s Objection
- 13 August 2015, EPA's Clean Power Plan: Structure, Implications for the Grid, and Next Steps
- 15 July 2015, EPA’s Chesapeake Bay TMDL Survives Legal Challenge: Stricter Water Quality Regulation of Farms, Municipalities, Industry, and Business May Follow

- 19 June 2015, EPA and the Army Corps Issue Final Clean Water Rule, but Does This New "Line in the Water" Clarify, Expand or Narrow Clean Water Act Jurisdiction?

OTHER PUBLICATIONS

- Co-author, “In Depth Guide to PA Water and Wastewater Issues,” *Pennsylvania Environmental Laws and Regulations,* Pa. Chamber of Business & Industry, 2018
- Co-author, “Wetlands” and “A Practical Guide to Obtaining Wetlands Permits,” Chapters 6 and 23 in *Pennsylvania Environmental Law and Practice,* 109th Edition, 2021
- Water Supply and Wastewater Challenges in Marcellus Shale Development, *Energy and Mineral Law Foundation Conference Proceedings,* May 2009
- Harmonizing Management of Ground and Surface Water Use Under Eastern Water Law Regimes, *University of Denver Water Law Review,* Spring 2008
- "Getting to the Deal: Drafting Environmental Clauses for Business Acquisitions and Real Estate Deals," *New Solutions to Environmental Problems in Business and Real Estate Deals*, 2004
- "Environmental Due Diligence in Corporate Transactions," Chapter 5 of *Environmental Law Practice Guide*, 2002
- "Water Rights: Tackling 21st Century Problems," *The Goddard Forum*, February 2001
- “New Solutions to Environmental Problems in Business and Real Estate Deals – Drafting Agreements,” New Solutions to Environmental Problems in Business & Real Estate Deals, *Practicing Law Institute*, 2000
- “Structuring the Brownfields Transaction” and “Negotiating Transactional Agreement,” *Brownfields Law and Practice*, 1998
- "Interstate Water Rights and River Basin Compacts in the East," *American Society of Professional Engineers*, 1994
- Co-author, “Legal Aspects of Pennsylvania Water Management,” *Water Resources in Pennsylvania: Availability, Quality and Management*, 1990
- "Meeting the Environmental Challenge," *The Pennsylvania Lawyer*, March 1988
- “Gone with the Water - Drainage Rights and Storm Water Management in Pennsylvania,” *Villanova Law Review*, 1977
- Co-author, “Law of Ground Water in Pennsylvania,” *Dickinson Law Review*, 1976
- Co-author, “Legal Control of Consumptive Water Use in Pennsylvania Power Plants,” *Dickinson Law Review*, 1976
- “Public Rights in Pennsylvania Waters,” *Temple Law Quarterly*, 1976

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 15 August 2024, Nearly 430 K&L Gates Lawyers Named Among 2025 Best Lawyers in America, Ones to Watch
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 Chambers USA Guide
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide
- 20 May 2015, Chambers USA 2015 Guide Recognizes K&L Gates, Lawyers as Industry Leaders

AREAS OF FOCUS

- Environment and Energy
- Land Use, Planning, and Zoning
- Major Infrastructure: Projects and Public-Private Partnerships
- Real Estate Acquisitions and Dispositions

INDUSTRIES

- Energy
- Nuclear Energy
- Oil and Gas
- Power

- Water and Wastewater

REPRESENTATIVE EXPERIENCE

- Represented energy companies regarding various regulatory initiatives, including the development of agency rules and policies allowing innovative “beneficial use” programs for facility byproducts.
- Service as regulatory counsel to Pennsylvania-American Water Company in the acquisition of the Scranton area, McKeesport area, City of York, Exeter, Kane, and other wastewater systems, involving precedent-setting arrangements for privatization of combined sewer systems and negotiation with federal and state agencies of consent orders and degrees defining obligations for long-term improvements to the systems.
- Provided environmental counsel to a Native American tribe’s gaming authority in the acquisition of a significant casino, hotel, and commercial complex located on a former 100-year-old steel manufacturing site, including advice on the procurement of multi-layered environmental insurance coverage against legacy and latent liabilities.
- Represented the owner/operator of the York Haven hydroelectric power project on the mainstem Susquehanna River through project relicensing, including the successful negotiation with federal and state natural resources agencies of flow, fish passage, recreation, and other environmental resources issues.
- Delaware Riverkeeper v. Pennsylvania Department of Environmental Protection and Portland Borough, Pa. Commonwealth Court, No. 1947 C.D. 2004 (Opinion, June 9, 2005). Represented a municipality through administrative and judicial appeals defending against challenges by environmental groups to sewage facilities plan and NPDES Permit for new community sewage collection and treatment facility.
- Service as land use and environmental counsel for a large 600+ acre mixed-use development, involving a 600+ acre site straddling two states, with planned 1100 residential units; 36-hole golf club; hotel, commercial, and retail elements; and related public water and sewage system development.
- Represented industrial utility and water-supply clients in policy development and legislative work associated with the Great Lakes-St. Lawrence River Basin Water Resources Compact. Represented a consortium of Great Lakes-region industries in negotiations with state and NGO representatives of the Great Lakes - St. Lawrence River Basin Compact.
- Counseled North America’s largest bottled water company in the acquisition of spring water and other water rights, and advised the company on water resource policy and regulatory issues in multiple states in the northeast, Mid-Atlantic, and Great Lakes region.
- United States and Commonwealth of Pennsylvania v. A&D Recycling, Inc., US District Court, Middle District of Pennsylvania, Civil Action No. 1:CV 99-1332. Service as chair and common counsel for the Jack’s Creek PRP Group at a metals and radiologically contaminated superfund site in central Pennsylvania, including extended negotiations with EPA concerning remedy selection, presentation to the EPA Remedy Review Board (resulting in a significant change in the proposed remedy), and subsequent management of the cleanup contracting and implementation process for the group.

- Served as counsel to a coalition of major landowners, resort operators, and developers in the development of state wetland regulations and guidelines.
- Advised and represented a global energy company in the successful siting, permitting, and development of a major petrochemical facility in southwestern Pennsylvania, including complex air and water permitting issues.
- Advised and represented a Fortune 100 owner of multiple wax manufacturing facilities and former petroleum refinery facilities in the sale of related business, and associated leasing and sale of affected properties, including multi-party negotiations with governmental agencies of prospective purchaser and remediation agreements.
- Advised owner of a new 544 MW gas-fired combined-cycle power plant in eastern Pennsylvania regarding all aspects of land use and environmental permitting for development of power plant and related facilities, including acquisition and negotiation of permits and land development approvals, successful defense against third-party challenges to project permits, negotiations for water supply (including modification of a public water system's federal and state permits governing reservoir operations), acquisition of emission reduction credits within the Northeastern Ozone Transport Region, and acquisition of the site and multiple related easements for water, wastewater, transmission, and other lines.
- Counseled an international bank in the restructuring and sale of a major waste coal-fired power plant in north central Pennsylvania.
- Representation of a global pump and turbine manufacturing company in the siting, permitting, and development of a cryogenic pump testing facility, involving among other issues the acquisition and remediation of a contaminated former glass manufacturing complex.
- Representation of a metabasalt mining and roofing granules manufacturing facility in the planning and permitting of a major quarry expansion project in south central Pennsylvania.
- Counseled a major North Carolina city's transit agency with respect to the environmental aspects of acquiring and developing an existing rail line corridor as a major addition to the region's rail transit system.
- Represented a bank lender with respect to a facility on which the borrower (who had operated a hazardous waste treatment facility) had defaulted; in order to preserve the bank's interests, pursued court appointment of a trustee who assumed control of the site and negotiated arrangements with the California Department of Toxic Substances Control for funding the trustee to pursue cleanup of the site, with contributions from insurance and bonds posted with DTSC, funds from the defaulting parties, and some contributions from the bank; advised and guided the trustee through the cleanup process, including procurement of engineering and remediation contractor services.
- Representation of a US-based independent transmission company as US permitting and real estate counsel in a cross-border project involving development of a 1,000 MW direct current underground transmission line crossing Lake Erie connecting the Ontario and PJM grid in Pennsylvania.
- Pennsylvania counsel to lenders evaluating whether to provide financing for a long-term lease/concession operation of the City of Harrisburg parking system, including due diligence on major legal and process issues,

such as leasing authority, enforceability, and remedies; procurement law questions; rate setting; and other issues.

- Counsel to an international gas development company in the planning and development of midstream (gathering, compression, and pipeline) projects.
- Pennsylvania counsel advising consortium and lenders proposing to enter into 75-year lease and concession operation of the Pennsylvania Turnpike, involving due diligence, extensive research, and advice concerning a myriad of state law issues, including constitutional and legal authority questions, contract enforceability and remedies, real estate, environmental, and other matters.
- Representation of a major paper company in decommissioning and sale of former paper manufacturing site in Wisconsin.
- Counseled and represented the owner/operator of new 1100 MW gas and oil-fired combined-cycle power plant located in the Lehigh Valley of Pennsylvania in environmental and related issues related to facility development, including (i) advice concerning acquisition of a major “brownfields” site from a bankrupt steel company (including assessment of risks associated with past industrial contamination, negotiations with the former owner, negotiations with environmental agencies, and procurement of environmental insurance coverage), and (ii) counseling through complex federal, state, and local permitting and related proceedings.
- Represented the New York metropolitan area’s transit agency in negotiations with a major railroad regarding environmental issues relating to a complex lease with option to purchase arrangement for a significant transit corridor across New Jersey.
- Pennsylvania counsel to the City of Pittsburgh and Pittsburgh Parking Authority in structuring and negotiation of a proposed parking system P3 lease and concession transaction.
- Representation of a major national water and wastewater company in the planning and development of a regional brine treatment center.
- Regulatory counseling for an innovative salt dome natural gas storage project in the northeast.
- Service as air counsel for a major interstate gas pipeline and for a multinational glass and chemical company, working through the regulatory processes under the 1990 Clean Air Act Amendments.
- Representation of companies selling, purchasing, and redeveloping old and previously contaminated industrial sites in Pennsylvania, New York, Michigan, Indiana, and other states.
- Counsel to developers of multiple industrial and commercial projects with complex redevelopment issues, including contamination from historic landfills and prior industrial operations, such as steel manufacturing and paint formulation.
- Represented a quarrying operation in successful appeal of decision of zoning hearing board requiring the quarry to seek local approval despite long-standing, state-permitted operations.