



## Daniel R. Flynn

Partner

Chicago

312.214.7900 | [dflynn@dicellolevitt.com](mailto:dflynn@dicellolevitt.com)

Ten North Dearborn Street  
Sixth Floor  
Chicago, Illinois 60602

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### Overview

Dan Flynn represents governmental entities, individual consumers, and corporate clients—all with one primary goal in mind: ensuring the protection of human health and the environment. His stewardship ensures not only that polluters be held responsible for contamination and clean-up, but that corporate entities understand their responsibilities under state and federal environmental laws. As a result of his advocacy in advising corporations on compliance, Dan's clients lead their respective industries in environmental stewardship efforts under a number of rules and regulations including the Clean Water Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation and Liability Act, the Emergency Planning and Community Right-to-Know Act, and the Resource Conservation and Recovery Act.

Dan assists corporate entities, governmental agencies, and the public by ensuring that companies that have contaminated the environment and violated regulations take responsibility for their actions. Through contribution and cost recovery actions, common law claims, citizen suits, enforcement actions, and proper due diligence and contract negotiation, he ensures polluters and bad actors remediate the harm they have caused.

Dan is part of the DiCello Levitt team working with several states in investigating and addressing poly- and perfluoroalkyl substance ("PFAS") contamination. DiCello Levitt's PFAS team, along with other Special Assistant Attorneys General and the Illinois Attorney General, most recently filed a lawsuit against 3M for PFAS contamination from its facility in Cordova, Illinois. Cases involving these "forever chemicals" will have wide-reaching implications for state governments and their residents.



Dan also represents public clients in groundbreaking litigation against the world's largest fossil fuel companies and the American Petroleum Institute, alleging that the defendants, for decades, misled and failed to warn the public about the catastrophic consequences of climate change.

Dan works with communities that have been impacted by years of exposure to polluted air, water, and soil. Recently, Dan and DiCello Levitt's environmental team joined with co-counsel in representing several residents and former residents of Union, Illinois in filing suit against companies responsible for polluting the groundwater with carcinogenic chlorinated solvents. Dan also serves as interim co-lead counsel in a class action on behalf of the residents of Rockton, Illinois and surrounding communities for property damages they sustained following a catastrophic fire at a local chemical factory.

In addition to his environmental work, Dan frequently counsels clients on developing and maintaining state-of-the-art safety and health programs that ensure all employees enjoy safe and healthful workplaces. He works closely with both his clients and the Occupational Safety and Health Administration ("OSHA") to enhance employee safety and health well beyond OSHA's minimum requirements.

## Practice Areas

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ENVIRONMENTAL LITIGATION

PUBLIC CLIENT

## Education

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Indiana University Maurer School of Law, J.D., *cum laude*

Illinois Wesleyan University, B.A.

## Publications & Presentations

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"SCOTUS Checks and Balances the Trump EPA's Attacks on Clean Water", DiCello Levitt Environmental Practice Group Update (April 28, 2020)

"Uncertainty Abounds in Wake of WOTUS Repeal," The Illinois Manufacturer (Fourth Quarter 2019)

"OSHA Under the Trump Administration," American Society of Safety Professionals: Safety 2019 (June 11, 2019)

"Regulating Hazardous Chemicals: The Overlap Between EPA's Risk Management Program and OSHA's Process Safety Management Standard," Kentucky Chamber Environmental

Conference (Mar. 15, 2019)

“Reducing Regulations: An OSHA Legislative and Enforcement Update,” Indiana Safety & Health Expo (Feb. 28, 2019)

“Secretary of Labor Seeks to Limit Availability of Duplicative Defense to OSHA Citations,” Forbes (Nov. 30, 2018)

“How To Navigate Temporary Worker Issues That Arise During OSHA Inspections,” Forbes (Oct. 15, 2018)

“How Manufacturers Can Keep Temporary Workers Safe,” Forbes (Aug. 31, 2018)

“Don’t Forget OSHA Standards: Beyond EPA’s Hazardous Chemical Requirements,” Kentucky Chamber of Commerce: Environmental Conference (Mar. 8, 2018)

“Silica Update,” CalCIMA Spring Thaw (Feb. 27, 2018)

“Reducing Regulations: An OSHA Legislative and Enforcement Update,” North Dakota Safety Council: 45th Annual Safety Conference (Feb. 23, 2018)

“Legislative Update and What’s Hot with OSHA,” Assurex Global Loss Control & Claims Meeting (Sept. 13, 2017)

“OSHA Issues Final Rule on Recordkeeping Amendment/Enforcement Blueprint,” Currents, Great Lakes Graphics Association (July 2016); LTFL Client Alerts, Leech Tishman Fuscaldo & Lampl LLC (May 11, 2016)

“EPA and OSHA – Self Audit Policies,” Three Rivers Manufacturing Association, Joliet, Illinois (Mar. 15, 2016)

“OSHA Half-Day Workshop,” Printing Industries of America and Great Lakes Graphics Association, Pewaukee, Wisconsin (Sept. 28, 2015)

“Another Blueprint for Enforcement: OSHA Announces Final Rule Amending Recordkeeping Standard,” Pipeline, Underground Contractors Association (October 2014)

“Mid-Year OSHA Enforcement Update: Keep your Employees and Your Business Safe,” Working Parts, SMC Business Councils (May/June 2014)

“What Environmental Lawyers Need to Know About CERCLA’s Bona Fide Prospective Purchaser Provision,” ExecSense Webinar (May 19, 2011)

“Shame on You: OSHA Regulation by Shaming,” The Horton Group (Spring 2011)

“Potential Pitfalls of OSHA Settlements,” Render (February 2011)

“Expanded Opportunities Under Clean Coal, Coal, and Renewable Energy Project Financing Bill,” Seyfarth Shaw Environmental & Safety Report, Seyfarth Shaw LLP (Aug. 24, 2009)

## **Admissions & Memberships**

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**Bar Admissions**

Illinois

**Court Admissions**

U.S. District Court, Northern District of Illinois

U.S. District Court, Central District of Illinois

**Memberships**

The American Bar Association, OSHA Section