

Environmental Practice



Environmental issues dominate the news. New substances, technologies, and industries generate new regulations. Existing products and industrial processes face new challenges as their environmental impact is reexamined, existing regulations are reviewed, and new regulations are promulgated. Companies must constantly navigate complex and changing environmental norms and rules that increasingly govern their business.

King & Spalding lawyers work with clients to understand their businesses and their environmental and safety issues. We help our clients navigate regulatory obstacles to achieve their business goals. Top companies turn to King & Spalding's national environmental, health and safety (EHS) practice because of our first-hand knowledge of how the regulatory agencies operate, our sophisticated understanding of the multitude of regulations governing different industries, and our strategic counsel oriented to business solutions. Our group includes lawyers with technical backgrounds—engineering, chemistry, biology, land use, environmental policy—who function well at the intersection of law and science, present the issues in plain English, and work with our clients to find practical solutions.

Our team of environmental lawyers has significant experience partnering with and assisting clients at every stage of their business through strategic, cost-effective counseling, negotiations, and litigation. We help clients with siting and permitting of new projects, compliance assurance, auditing and environmental management systems for operating facilities, and remediation and site closure. When our clients face an enforcement action, we have an extensive bench of former US EPA and state enforcement attorneys and former federal prosecutors who are experienced on both sides of civil and criminal enforcement actions. When a dispute arises, whether with a regulatory agency, an environmental organization, or another party, we first seek to resolve the matter through skilled negotiation. But when litigation is required, we effectively represent our clients' interests in federal and state administrative forums and courts.

Representative Clients

- Chevron
- The Coca-Cola Company
- Dow Chemical Company
- Exterran
- General Electric Company
- Hess
- Honeywell International, Inc.
- Isuzu Manufacturing Services of America, Inc.
- Kemira North America
- Kia Motors America, Inc.
- LaFargeHolcim
- Metro Atlanta and the Atlanta Regional Commission
- Mueller Water Products
- North American Insulation Manufacturers Association
- Polaris Industries
- Rayonier Advanced Materials
- Shell Oil Company
- Statoil
- Walmart

King & Spalding's Environmental Practice received the 2015 *Law360* "Environmental Group of the Year Award."





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Recognitions

- Ranked in *Chambers USA 2016* for Environment Nationwide and in Georgia and Texas.
- Six of our Environmental partners are ranked as leaders in their fields by *Chambers USA 2016*.
- Ranked in *Chambers Europe 2016* for France – Environment.
- Ranked as a Tier 1 firm in France: Environment in *Legal 500 EMEA 2016*.
- Ranked in *Legal 500 USA 2016* for Environment – Litigation.
- Granta Nakayama was recognized as a “leading individual” (Environment: Litigation) in *Legal 500 USA 2016*.
- Joëlle Herschtel received special recognition as the 2016 “Lawyer of the Year” in the Environmental Law category for Paris in *Best Lawyers in France*. She was also recognized as a “leading individual” (France: Environment:) in *Legal 500 EMEA 2016*.
- Five of our Environmental partners are ranked as leaders in their fields by *Best Lawyers in America 2015*, including Patricia Barmeyer who was recognized as the 2015 “Atlanta Lawyer of the Year.”
- Ranked as a leading firm in *U.S. News & World Report and Best Lawyers 2015* survey in Environmental Litigation and Environmental Law nationally and in Atlanta.

Recent Representative Matters

- Representing the Atlanta Regional Commission and metro Atlanta local government water suppliers in the all aspects of the long-running tri-state “Water Wars” litigation. After remand from a decision of the Eleventh Circuit that the Corps of Engineers has broad authority to meet metropolitan Atlanta’s present and future water supply needs, working to obtain commitments from the Corps to secure adequate supplies of water.
- Counsel to a large municipal government in the successful resolution of a civil enforcement action by EPA, state agency, and local environmental group alleging Clean Water Act violations regarding its wastewater system (sanitary sewer overflows) and its municipal separate storm sewer system (MS4).
- Settled a significant enforcement action brought by EPA and DOJ, and the U.S. Chemical Safety and Hazard Investigation Board, defending claims by the government under the General Duty Clause (112r) of the Clean Air Act (CAA) and the Emergency Planning & Community Right-to-Know Act (EPCRA) involving a major release of an extremely hazardous substances.
- Representing numerous major engine and vehicle manufacturers, and their Fortune 500 customers, in enforcement and recall actions concerning the emissions and fuel economy of their products, as well as fleet-wide heavy-duty diesel vehicle requirements, brought by both EPA and the California Air Resources Board (ARB).
- Representing a metallurgical manufacturer in litigation cases concerning the implementation of EU directives, namely REACH (EU directive concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals) and EU ETS (Emission Trade System concerning greenhouse gas emissions).
- Assisting French chemical companies in connection with the remediation of water pollution impacting homes in the vicinity (management of the remediation and coordinating with the neighbors, the environmental agency and the environmental NGOs), as well as representing those companies in lawsuits initiated by neighbors seeking compensation for the alleged damages caused by the pollution.
- Assisting a metallurgical company with all environmental and health issues, in particular remediation work, in connection with the closure of a plant in France.
- Directed a privileged investigation after a release and fire at a natural gas processing facility in the Middle East; counseled the client regarding restart of the plant in compliance with local air, water and waste laws and regulations.
- Advised a major oil & gas client on legal exposure under treaties, conventions and maritime law from potential oil pollution claims related to a pirated oil tanker in the Mediterranean.