

Environmental, Health and Safety Practice

Regulatory Compliance, Enforcement Defense, Government Permits and Approvals, Litigation, Incident Response, and Crisis Management



King & Spalding's EHS attorneys handle the full range of environmental, health and safety issues. Top companies turn to King & Spalding because we know first-hand how agencies operate, we understand the multitude of regulations governing different industries, and we provide strategic counsel oriented to business solutions.

With offices in Washington, D.C., Atlanta, Chicago, Houston, Austin, Los Angeles, Silicon Valley, London, Paris, and Frankfurt, we handle matters throughout the U.S. and Europe and have counseled our multi-national clients on issues encountered worldwide.

Key Differentiators of Our Environmental, Health & Safety Team

Renowned agency enforcement expertise

King & Spalding has an extensive bench of former U.S. agency leaders and state and federal enforcement attorneys experienced in both civil and criminal matters:

- **Granta Nakayama**, former Assistant Administrator for U.S. EPA Office of Enforcement and Compliance Assurance from 2005 through 2009. Granta led the 3,400 employee, \$560 million EPA national enforcement and compliance program for all media (air, water, waste, toxic chemicals, pesticides) located at over 40 facilities across the nation.
- **Peter Hsiao**, former Los Angeles Assistant U.S. Attorney, where he utilized his chemical engineering background as lead trial counsel for U.S. EPA and other agencies. He received the Department of Justice's Special Commendation Award, the U.S. Attorney's Office Special Achievement Award, and the U.S. Fish and Wildlife Service Golden Eagle Award.
- **Jackie Glassman**, former Acting Administrator and Chief Counsel for the National Highway Traffic Safety Administration (NHTSA), which oversees motor vehicle safety and fuel economy regulation and enforcement in the U.S.
- **Adam Sowatzka**, a former U.S. EPA Region 4 attorney who has a national defense practice handling civil and criminal enforcement with an emphasis on water and stormwater, Superfund, management of hazardous materials, and OSHA.
- **Patricia Barmeyer**, former environmental lawyer for the State of Georgia and regularly at the top of all rankings for environmental lawyers in the Southeast.

Ranked as one of the leading firms in the U.S. for environmental law matters

CHAMBERS USA

Recognized as a Tier 1 firm in France: Environmental

LEGAL 500 EMEA

An "Environmental Practice Group of the Year" for 2010, 2012, 2015, and 2018

LAW360

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- **Jim Vines**, a former U.S. Attorney who prosecuted environmental crimes and served on the Attorney General's Environmental Advisory Committee. He has handled matters in the U.S. and abroad across the broad spectrum of environmental law, and is an OSHA/Health and Safety specialist.
- **Ilana Saltzbart**, former senior enforcement attorney at U.S. EPA headquarters, who led EPA's landmark New Source Review enforcement initiative under the Clean Air Act against American Electric Power, Tennessee Valley Authority, and others.
- **Les Oakes**, an engineer, who served for more than ten years as a regulator with the Georgia Environmental Protection Division in both the air and hazardous waste programs.
- **Christie Iannetta**, former Trial and Enforcement Lawyer at NHTSA.
- **Rachel Tennis**, former Assistant Regional Counsel, Region 9, U.S. EPA.

Deep bench of lawyers

In addition to lawyers with agency experience, our bench is deep with additional lawyers with enforcement and other EHS litigation expertise:

- **Joe Eisert**, who has worked on both routine and high-stakes environmental matters involving U.S. EPA and attorneys general from all 50 states and the District of Columbia.
- **Cynthia Stroman**, who counsels clients in matters concerning the risk, transportation, and management of chemical substances, including TSCA, Hazardous Materials Regulations, and Pipeline Safety Regulations; and draws on her scientific background to prepare expert witnesses in enforcement and other EHS litigation.
- **Lewis Jones**, who advises clients on water supply and wastewater issues, environmental compliance, and fee setting; helps clients obtain and defend permits to build infrastructure projects; and assists with a wide range of issues relating to the water supply and regulatory programs of the United States Army Corps of Engineers.
- **Logan MacCuish**, who has extensive experience representing clients before the California Air Resource Board.
- **Joëlle Herschtel**, who handles a wide range of litigation cases before French administrative, civil and criminal courts, and assists companies in the implementation of European (REACH, CLP, RoHS, biocides, nanomaterial, greenhouse gas) and French environmental and product safety regulations.
- **William Sauers**, who focuses on complex U.S. and international environmental matters and investigations involving DOJ, U.S. EPA, and other federal and state agencies.

Together, our team provides unparalleled depth and breadth on a wide range of Environmental, Health and Safety matters, from the most sensitive internal investigations and the most explosive criminal enforcement matters to the stickiest permits and regulatory negotiations. In addition, we draw liberally on the resources of our firm, calling upon the expertise of King & Spalding's renowned white collar defense attorneys, corporate and tax lawyers, and others as circumstances dictate. We have handled highly sensitive internal investigations and voluntary disclosures, and negotiated favorable settlements of major enforcement matters.

Unmatched scientific and technical expertise

Our EHS practice includes lawyers with technical backgrounds—engineering, chemistry, marine biology, land use, environmental policy, and safety—who function well at the intersection of law and science, present issues in plain English, and work to find practical solutions to complex problems.

Energy experts

King & Spalding knows energy. We advise clients on the full range of EH&S issues confronting the energy sector, from environmental compliance and permitting, to infrastructure development, to enforcement and incident response. Hand-in-hand with our clients, we have taken the lead on emerging environmental issues in the transportation of energy by rail or pipeline, and in the development of renewable energy.

Expertise at the intersection of safety and environmental issues

We operate at the cutting edge of emerging technologies and new business models, including autonomous and connected vehicles, shared vehicle use, and the ongoing electrification of the motor vehicle fleet. Our lawyers were instrumental in the reform of the U.S. fuel economy program and various regulatory and enforcement actions involving the intersection of greenhouse gas and fuel economy regulation.

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Infrastructure development

Using our scientific and technical expertise, we help clients obtain environmental permits and approvals for major infrastructure projects, including water supply reservoirs, wastewater treatment plants, port and harbor developments in sensitive coastal environments, and other projects requiring environmental permits or approvals from the United States Army Corps of Engineers, the Federal Energy Regulatory Commission, or the Department of Transportation.

Incident response & crisis management

Our lawyers have been involved in multiple major environmental and safety crises in recent years, from oil spills to diesel emissions, airbag issues, and automotive safety recalls. Our subject matter experts combine with our Congressional and government investigation colleagues and our cost-effective Discovery Center to help manage both the initial incident response and the attendant public and legal crises.

Litigation successes

We work to resolve issues with the regulatory agencies and relevant interested parties by negotiation, but our lawyers stand ready to litigate when that is required, and we have decades of experience handling EHS disputes before state and federal administrative agencies and courts—from permit appeals, rules challenges, agency enforcement actions, cost recovery claims and contribution actions, to citizen suits.

Accolades

- *Chambers USA* 2017 ranked King & Spalding as one of the leading firms in the United States advising clients on environmental law matters, with additional rankings in Georgia and Texas; eight of our EHS partners are individually ranked as leaders in their fields by *Chambers USA*.
- *Legal 500 USA* 2017 named King & Spalding the only Band 1 firm for Transportation, with both Granta Nakayama and Jackie Glassman named as “Leading Lawyers,” and named King & Spalding as one of the top Environmental regulatory and litigation practices, with Granta Nakayama a “Leading Lawyer” in those areas as well.
- Seven of our EHS partners are ranked as leaders in their fields by *Best Lawyers in America* 2017, including Patricia Barmeyer, who was recognized by *Best Lawyers* as the 2015 environmental “Atlanta Lawyer of the Year.”
- *U.S. News and World Report’s* “Best Law Firm” 2018 survey identified King & Spalding as one of the top law firms in the United States. The firm earned 43 national rankings, including in environmental law and in environmental litigation, where the firm earned a Tier 1 ranking.
- *Law360* designated King & Spalding’s Environmental Practice as “Environmental Group of the Year” for 2010, 2012, 2015, and 2018. The selections were made by a team of editors based on the groups that achieved the biggest wins in the most important cases.
- *The National Law Journal* named Mr. Nakayama and Mr. Hsiao to its 2016 Energy and Environmental Trailblazers list.
- *Chambers Europe* 2018 ranked King & Spalding as a leading firm for France – Environment.
- *Legal 500 EMEA* 2018 ranked the firm as Tier 1 in France: Environment.

Our Clients

We represent corporations and trade associations involved in a broad array of manufacturing and commercial activities, with current work focused on the following sectors:

- Automotive and other vehicle manufacturing
- Oil and gas development, production and transportation, including LNG
- Renewable energy production and renewable fuels
- Chemical manufacturing
- Food and beverage production
- Forest products
- Consumer products manufacture, distribution and sales
- Residential, commercial, and resort real estate development
- Infrastructure development
- Water supply and wastewater projects and litigation

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Selected Areas of Expertise

- Mobile source emissions
- Motor vehicle safety
- Autonomous, connected, and electric vehicles & mobility
- Stationary source emissions
- Hazardous substances management, transportation, and disposal
- Chemical and product supply chain regulation
- CERCLA, RCRA, and brownfields remediation
- Water law
- Wastewater and stormwater regulation
- Wetlands, protected species, and NEPA
- OSHA
- Releases, spills, and other incidents
- European environmental regulations

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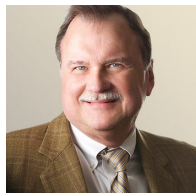
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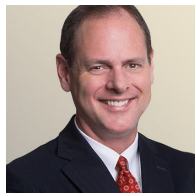
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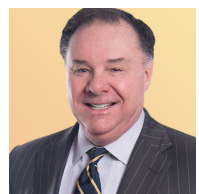
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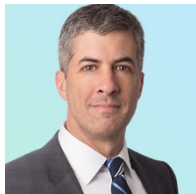
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