

Environmental Practice

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France



King & Spalding’s environmental practice ensures that our clients, from both the public and private sectors, meet their legal responsibilities whilst achieving their objectives. Our team consists of attorneys from real estate, corporate and commercial, banking and finance, construction, and dispute resolution and litigation – which means we can provide comprehensive legal advice on all environmental and planning aspects of your project.

Our team has built a solid reputation as a leader in this field and offers worldwide environmental legal advice through its offices in the United States, Europe, Asia and the Middle East.

Our team in France provides a number of services ranging from counseling to litigation in relation to civil, administrative and criminal law matters as well as regulatory services to a wide range of industries, including chemical, automotive, healthcare, pharmaceutical, real estate, electronics, clean and renewable energy, water, cleanliness, telecommunications, food processing, waste management, construction, metallurgy, and oil and gas.

The environmental practice in France has also been involved in monitoring large-scale infrastructure projects, such as Port 2000, the extension of the “Grand Canal du Havre,” and, recently, the implementation of offshore wind projects.

Our clients include European and U.S. investors in France, government departments and agencies, local authorities, banks, investment funds, landowners, utility operators, property companies, landfill operators, professional bodies, and companies from many different sectors, including manufacturing, waste, chemical, construction, mining, quarrying, oil, and energy.

We advise our clients on all the environmental aspects of their transactions, including the following:

SUPPORTING OPERATORS OF INDUSTRIAL FACILITIES IN THE MANAGEMENT OF IMPACT AND RISKS

- Supporting the design (audit of authorization applications, obtaining authorizations) and implementation (compliance audits, permit enforcement) of industrial projects
- Analyzing and controlling the impact on health (health and safety compliance) and the environment (water, air, biodiversity) as well as industrial risks (Technological Risk Prevention Plans (PPRT))
- Anticipating and managing risks related to exposures of persons or damages to biodiversity (including crisis management)
- Managing the relationship with environmental agencies, local authorities, residents and associations

ASSISTING IN THE CONVERSION AND ACQUISITION OF FORMER INDUSTRIAL SITES

- Assisting with the integration of the different steps of conversion strategies (from the decision of cessation of activity to the change of use and transfer of ownership)
- Optimizing the technical and financial aspects of remediation and conversion of sites in close collaboration with a selection of consulting firms
- Negotiating and drafting environmental safeguards in the context of mergers/acquisitions, divestitures, and transfer of business assets or lease

GUIDANCE IN THE IMPLEMENTATION OF ENVIRONMENTAL EU AND FRENCH REGULATIONS

- Assisting with the implementation of EU and French regulations related to permitted facilities (including SEVESO facilities), sectors (quarry, mining, oil and gas, energy, chemical, utilities), substances and products (including Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), EU Regulation on the Classification, Labelling and Packaging of Substances and Mixtures (CLP), Restriction of Hazardous Substances (RoHS), biocides, nanomaterials), or environments (water, biodiversity, carbon credits – e.g., Emissions Trading System (ETS))
- Assisting with the development of waste-recovery strategies
- Identifying and anticipating future liability risks

RECOGNITION

Our practice in France is highly ranked by *Legal 500 EMEA* and *Chambers Europe*.

“Clients praise the ‘level of expertise and reliability’ of the team.”

— *Chambers Europe 2020*

“Established practice offering a full range of services from consulting to disputes. Demonstrates strength in civil, administrative and criminal proceedings, including those concerning air or water pollution and the allocation of responsibility for remediation measures.”

— *Chambers Europe 2021*

“Lawyer of the Year” in *Environmental Law in France*.

— *Best Lawyers 2021*

INTERVENTION IN THE CONTEXT OF LARGE INFRASTRUCTURE PROJECTS

- Critical analysis of permit applications
- Advice on public law, planning and public ownership
- Supporting the strategic implementation of projects

REPRESENTATION IN CIVIL, ADMINISTRATIVE AND CRIMINAL LITIGATION

- Monitoring of litigation before administrative courts under the legislation on permitted facilities, water, waste, mining and quarrying as well as under EU regulations (REACH, emissions trading system, climate change)
- Managing of litigation initiated by residents related to neighborhood nuisances or by sellers/buyers of contaminated sites or in the context of environmental safeguards
- Representation before criminal courts in the context of non-compliance, water pollution, damage to the environment, or offenses related to waste transfer
- Representation before the European Court of Justice in connection with preliminary questions

We have a strong record in unravelling the complex regulatory overlay, providing cost-effective solutions, and partnering with our clients to implement successful strategies to achieve their goals. Being a truly integrated international team, we are able to provide genuine local knowledge and understanding of a variety of systems of law and procedures. Further, our creative project management skills ensure we are able to provide seamless cross-border advice.

“Headed by the very experienced Joëlle Herschtel, King & Spalding LLP’s practice represents several of the world’s largest oil and gas, mining, industrial manufacturers and waste recycling operators. The firm is handling a large caseload of high-profile matters, including major classified-site authorisation and remediation issues.”

— *Legal 500 EMEA 2021*

FOR MORE INFORMATION,
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