

## ADMINISTRATIVE LAW

### ENVIRONMENTAL REGULATION AND COMPLIANCE

Gallagher & Kennedy environmental attorneys understand the complex statutes and environmental regulations at issue in environmental litigation. Additionally, we understand the science associated with regulated substances such as heavy metals, mold, asbestos, benzene, pesticides, TCE, and PCBs. We understand the technical aspects of environmental law, including geology, engineering, chemistry, hydrology, biology, and toxicology, and we have broad experience translating scientific and technical concepts to lay jurors, judges, and arbitrators. Many of our attorneys have formal training in the sciences or engineering, and we interact and work regularly with independent technical experts.

#### **RULEMAKING, CHALLENGES AND PROCEEDINGS**

Gallagher & Kennedy environmental attorneys assist clients with the development and submission of comments on U.S. Environmental Protection Agency (EPA's) and analogous state agencies' proposed rules. We also advocate on behalf of our clients before these agencies and, at the federal level, interact with Office of Management and Budget staff regarding EPA's cost estimates associated with its rules.

Our environmental attorneys are experienced in representing clients in legal challenges to U.S. Environmental Protection Agency and U.S. Department of Transportation final rules. To date, we have instituted legal challenges in the U.S. District Court for the District of Columbia, U.S. Court of Appeals for the District of Columbia Circuit and U.S. Court of Appeals for the Ninth Circuit. In addition, Gallagher & Kennedy lawyers participate in federal and state rule making proceedings, including both notice and comment rule making and formal hearings.

#### **ENVIRONMENTAL REGULATORY ENFORCEMENT**

Gallagher & Kennedy environmental attorneys routinely represent clients in enforcement actions brought by the U.S. Environmental Protection Agency (EPA) and analogous state agencies. These enforcement actions involve clients in all manufacturing sectors, with particular emphasis on the following industries:

- Agriculture
- Utility
- Technology
- Mining
- Mineral Processing

Since 2000, EPA has been targeting these industries for increased scrutiny to ensure compliance with air and hazardous waste laws and regulations. We have represented many companies during these inspections and in subsequent enforcement actions.

Our national expertise and relationships in Washington, D.C. and in EPA Regional Offices enable us to provide our clients with efficient and effective representation. Our experience in agriculture, utility, technology, and mining and mineral processing issues allows us to represent these industries in complex enforcement issues associated with federal and state regulatory matters. We have represented clients in enforcement actions in all EPA Regions. In addition, we have represented clients in environmental and health and safety enforcement actions brought by agencies in Arizona, New Mexico and several other states.