

Environmental



PRACTICAL REGULATORY ADVICE, COUNSEL AND LITIGATION

Brooks Pierce attorneys have extensive experience representing companies and local governments regarding virtually all types of environmental issues relating to regulatory compliance, permitting, litigation and transactional matters. Our team includes seasoned litigators and trial lawyers, attorneys with scientific and engineering backgrounds and technical expertise, and former regulators with the NC Department of Environment and Natural Resources. Our attorneys excel in bringing their experience and expertise to bear to efficiently and effectively counsel and represent our public and private sector clients.

Comprehensive service. Our environmental attorneys are well-equipped to handle a wide range of environmental and natural resource matters involving local, state, and federal laws. Examples of the types of matters we handle include litigation and counseling related to the following:

- Environmental compliance, audits, and investigations
- Defense against environmental violations, fines, and penalties
- Air pollution
- Underground storage tanks (USTs)
- Groundwater contamination
- Water, Air, and Waste permitting and compliance
- Defense of environmental permits obtained
- Purchase, sale and development of real estate and contaminated properties

Sedimentation and stormwater permitting and compliance
Water rights, supply, and treatment
Facility siting, permitting, and compliance
"Toxic tort" litigation
Coastal permitting (development, beach renourishment, erosion structures)
Mining and forestry matters
Natural resources utilization and conservation
Health and safety matters (including OSHA and indoor environmental quality issues)

Permitting and Counseling. Our attorneys work with clients and government regulators to obtain all manner of environmental permits and authorizations, and to facilitate cost-effective compliance with federal, state, and local environmental regulations and permits. These include air, water, waste, endangered species, NEPA, SEPA, and other authorizations and permits from NC Department of Environment and Natural Resources, the U.S. Army Corps of Engineers, and the U.S. Environmental Protection Agency.

Litigation. Our environmental litigation practice includes seasoned litigators and trial lawyers. We have experience litigating all manner of environmental cases before state and federal administrative bodies and trial and appellate courts, such as the NC Office of Administrative Hearings, the NC Environmental Management Commission, the U.S. Environmental Protection Agency, numerous NC Superior Courts, the NC Court of Appeals, the NC Supreme Court, all North Carolina U.S. District Courts, and the Federal Courts of Appeals for the Fourth and Sixth Circuits. Examples of environmental matters we have litigated include cases involving:

Toxic tort and contaminated property defense
Defense against government violations, fines, and penalties
Environmental insurance coverage disputes
Defense of environmental permits challenged by third parties
Appeal of the denial of environmental permits by government agencies
Defense of Clean Water Act citizens suits
Water use rights
CERCLA litigation
Opposition to facility siting and permitting
NEPA and SEPA challenges
Coastal permitting (development, beach renourishment, and structures)
Indoor environmental quality issues (asbestos, lead, and mold)
Health and Safety (OSHA)

Transactions. Brooks Pierce attorneys advise, counsel and negotiate on behalf of clients on environmental matters relating to the purchase and sale of assets and companies, including contaminated properties issues and Brownfields Agreements, as well as environmental risk and liability.

Guidance for Governments. Brooks Pierce attorneys advise and represent local government entities regarding a range of environmental matters, such as:

Coastal permitting (development, beach renourishment, and erosion structures)

Water use rights and public water supply safety

Hazardous waste matters

Landfills

FEMA issues

Water and sewer utility contracting and treatment

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PRACTICING PUBLIC POLICY ADVISORS

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