

AIR QUALITY ISSUES

Moore & Van Allen attorneys have been involved in all aspects of the Clean Air Act from the drafting of amendments to the Clean Air Act to litigation about the Clean Air Act. The firm represents numerous clients subject to the requirements of the Clean Air Act, including manufacturing facilities, chemical plants, petroleum tank farms, and independent power producers (operating coal-fired power plants, gas-fired power plants, and waste-to-energy facilities.)

Examples of matters that the firm's attorneys have handled for clients include:

- Advising clients and negotiating with regulators regarding the terms of Title V permits;
- Obtaining written exemption determination from regulators that proposed modifications from were exempt from local and state air toxics regulations;
- Obtaining determination from EPA that eight electric generation facilities were not subject to New Source Performance Standards;
- Environmental audit of air emissions issues associated with petroleum tank farms located from Texas to New Jersey;
- Defending manufacturing facility against penalty for alleged violations of air emissions permit terms;
- Defending operators of petroleum terminals in litigation alleging that benzene emissions were responsible for cancer cluster in surrounding community;
- Helping clients obtain major stationary source air permits, including permits requiring New Source Review under the Clean Air Act, for operations such as natural-gas fired electricity generating plants and steel recycling facilities;
- Successfully defending a client who had sold a collection of can manufacturing facilities in an action in which the buyer of the facilities alleged that violations of Clean Air Act at the facilities had exposed the buyer to more than \$50 million in liability;

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- Working with elected officials to develop sensible regulations to address global warming issues; and
- Defending operator of coal-fired power plant against property devaluation claims arising from alleged noise problems and emissions.