

PERMITTING & REGULATORY COMPLIANCE ADVICE

Moore & Van Allen's environmental team is frequently involved with providing advice relating to the construction and operation of commercial, government and industrial facilities. Many of our attorneys have engineering or scientific backgrounds and prior work experience that make it easier for them to understand, and provide practical advice regarding, complex environmental issues. Some of our attorneys have experience working for the EPA, Department of Justice or state environmental agencies and are able to provide unique perspectives on the interpretation of environmental regulations by government agencies.

We have advised clients on compliance and permitting issues relating to every major federal environmental law including the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response Compensation and Liability Act (Superfund), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Endangered Species Act, the National Environmental Policy Act (NEPA), and their state and local counterparts. In addition, Moore & Van Attorneys assists clients in matters relating to unique state and local laws such as the Coastal Area Management Act (CAMA), state groundwater regulations, state watershed laws, and local zoning ordinances. As part of our work, we are sometimes asked by clients to conduct multi-media environmental audits and to provide training on environmental issues.

Examples of compliance advice and permitting issues handled by Moore & Van Allen's attorneys include:

- Annual multi-media environmental audit of domestic and foreign textile manufacturing facilities;
- Advising steel manufacturer on applicable environmental requirements, as well as policies and procedures to facilitate compliance;
- Multi-media environmental audit of pipeline and petroleum tank farm facilities;
- Working with companies and their consultants to demonstrate compliance with air toxins regulations through modeling;
- Advising owners and operators of underground storage tanks (USTs) on compliance issues and procedures for obtaining reimbursement from UST trust funds;

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- Assisting developers in negotiating the maze of environmental regulations applicable to large commercial developments in environmentally sensitive areas;
- Pre-acquisition audits of industrial facilities to assess whether there are significant compliance issues associated with new or continuing operations under new ownership;
- Advising lenders on environmental liabilities associated with potential borrowers;
- Assisting clients in obtaining approval for development activities affecting wetlands;
- Advising purchasers and lenders on qualifying for the innocent landowner and/or secured creditor defenses; and
- Advising executors, trustees and financial institutions on environmental issues for properties held in a trust or estate.