

AIR



PRACTICE CONTACTS

Stephen C. Fotis
Partner
scf@vnf.com
202.298.1908

Britt Speyer Fleming
Partner
bsf@vnf.com
202.298.1863

Kyle W. Danish
Partner
kwd@vnf.com
202.298.1876

Van Ness Feldman has an unparalleled depth of experience in air quality policy-making and analysis--having played key roles in the development of the original Clean Air Act in the 1970s, and representing clients in every major legislative initiative related to the Act since, the firm is well regarded for its collaborative approach in providing clients analysis, program design, and counsel in the highly nuanced and evolving area of Clean Air Act implementation.

Syncing the firm's climate change, environmental, and government attorneys and policy professionals, our team represents electric utilities, pipelines, automakers, and manufacturers in various matters related to Clean Air Act implementation; legislative matters; agency rulemakings; enforcement proceedings; compliance planning; and facility permitting and siting.

In addition, our team is highly regarded for being at the forefront of emerging air quality policy issues, advising clients on potential initiatives to reform the Act including new market-based and incentive-based approaches and probable controls on carbon dioxide.

FACILITY PERMITTING & SITING

Van Ness Feldman regularly assists clients in preparing and obtaining necessary pre-construction and operation permits, as well as preparing assessments of environmental impacts as required under the Clean Air Act and state air quality laws. The firm's attorneys are well-regarded for developing strategies to overcome objections to permits raised by agencies and citizen groups.

AUTOMOTIVE, MOTOR VEHICLE & OFF ROAD PRODUCTS

Manufacturers of motor vehicles and off-road products face a challenging and evolving regulatory environment. Van Ness Feldman is an industry leader representing automobile and light-duty truck manufacturers, manufacturers of engines for heavy-duty trucks and off-road equipment, and manufacturers of recreational marine and small off-road equipment on issues related to certification, tailpipe emission controls, and fuel economy/greenhouse gas limitations before the U.S. Environmental Protection Agency and the California Air Resources Board.

The firm excels at providing counsel regarding legislative and regulatory development and advice regarding compliance matters (e.g., labeling, defect reports, recalls, importation issues and EPA and CARB enforcement actions). In addition, Van Ness Feldman works with manufacturers of these vehicles and engines regarding emerging policies related to fuel specifications and programs to promote and/or mandate the use of certain technologies. The firm also has considerable experience with the permitting and environmental control requirements associated with facilities that manufacture these products.

COMPLIANCE PLANNING & ENFORCEMENT PROCEEDINGS

The firm's air team is highly-skilled at teaming with in-house technical and legal staff to determine applicable regulatory requirements, understand new market-based mechanisms, and to develop cost-effective compliance strategies. Our understanding of EPA and state policies, coupled with the firm's long-standing relationships with agency personnel, helps Van Ness Feldman provide prompt, effectual

representation to a diverse range of clients' needs.

This depth of experience and understanding equips us with the ability to approach air matters creatively to evaluate the merits of agency claims, and the risk of litigation, to produce resourceful strategies and prompt resolutions.

MONITORING & PARTICIPATING IN AGENCY RULE-MAKINGS

Since the development of EPA's initial mobile source program in the early 1970s, our firm has been involved in virtually all major rulemaking surrounding the implementation of the 1990 Clean Air Act Amendments.

The firm's attorneys and policy professionals are highly regarded for identifying new state and federal regulatory developments affecting clients' interests, and representing them throughout the promulgation process including developing comments on proposed regulations and testimony for public hearings.

When necessary, the firm represents clients in judicial challenges to final rules, and in many cases, our team works directly with agency staff to develop alternative approaches that better serve clients' interests.

LEGISLATIVE MATTERS

Our air team regularly represents clients' interests in congressional debates on air quality-related issues and plays a central role in the development of key provisions in energy and tax legislation that affect environmental compliance planning.

© 2024 Van Ness Feldman, LLP, All Rights Reserved. This document has been prepared by Van Ness Feldman for informational purposes only and is not a legal opinion, does not provide legal advice for any purpose, and neither creates nor constitutes evidence of an attorney-client relationship.