

CONTACT

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PRACTICES

Air

EDUCATION

The Catholic University of
America, Columbus School of
Law
St. Bonaventure University

BAR AND COURT ADMISSIONS

District of Columbia Bar

RICHARD A. PENNA
SENIOR COUNSEL



Professional Background

Dick Penna specializes in environmental law and regulation, an area in which he has practiced in both the public and private sectors for over 30 years. He advises clients in the motor vehicle and related engine production industries regarding the impact of congressional, federal, and state agency requirements on a variety of matters. These include motor vehicle emissions standards, fuel economy regulations, alternative fuels, plant sitings and operations, control of emissions of hazardous air pollutants from surface coating and other manufacturing processes, hazardous waste control, permitting, compliance, and enforcement matters.

Dick provides counsel on the development of emissions standards for air pollutants from motor vehicles (both light and heavy-duty), and recreational marine engines and vessels, with a comprehensive understanding of the impact of compliance standards in Title II of the Clean Air Act. On behalf of his clients, he works closely with the Environmental Protection Agency (EPA), the National Highway Traffic Safety Administration (NHTSA), the California Air Resources Board, and other states that have adopted California's emissions standards.

Dick played a leading role in the extended consideration of the Clean Air Act throughout the 1980s which resulted in the 1990 amendments. He has been active in numerous rulemaking actions that have resulted from the enactment of that law and has represented clients in enforcement actions brought by the EPA and the state of California.

Dick has served as Vice Chairman of the American Bar Association Air Quality Subcommittee and is a frequent speaker on Clean Air Act and fuel economy programs.

From 1971 to 1977, Dick served in the Office of Enforcement and General Counsel of the EPA. He was involved in the development and litigation of State Implementation Plans for ozone (smog) and carbon monoxide reduction. From November 1978 to June 1981, Dick served as Assistant Director of the National Commission on Air Quality, a congressionally mandated commission that was responsible for recommending modifications to the Clean Air Act.

Representative Experience

- Developed the existing compliance program for motor vehicles and engines as part of the initial team at EPA in the 1970s.
- Served as Assistant Director of a Congressional Commission responsible for developing recommendations for revisions to the Clean Air Act
- Since entering private practice in 1982, worked on virtually all major EPA and California rulemakings for emission standards and on-board diagnostic requirements covering light duty vehicles, heavy-duty engines and recreational marine engines.
- Represented major vehicle manufacturers in significant compliance matters under EPA and California rules.
- Advises a number of vehicle and engine manufacturers regarding EPA and California tailpipe and evaporative emission standards, as well as fuel economy and greenhouse gas requirements applicable to light and heavy-duty vehicles.

Government Service

National Commission on Air Quality

Assistant Director, 1978-1981

U.S. Environmental Protection Agency

Attorney, Office of Enforcement and General Counsel, 1971-1977

Awards and Honors

Super Lawyers

2007-2019

"Best Lawyers in America" by *Best Lawyers*

Environmental Law, 2006-2020

Chambers USA

Environment, 2005-2020

Legal 500

Environment: Transaction & Regulatory, 2011

Washingtonian Top Lawyers

Environment, 2009, 2011

Articles and Presentations

- Air Quality Regulation in California, Los Angeles CA, 04/14/2008
- *Massachusetts v. EPA* Decision, Society of Automotive Engineers , Washington DC, 05/16/2007

Alerts

- EPA Heavy Truck Standards to Drive Down GHG Emissions, 04/01/2024
- EPA Files Record Climate Enforcement Action Against Corporate HFC Importer, 03/27/2024
- EPA Finalizes Groundbreaking Multipollutant Standards for Passenger Vehicles, 03/20/2024
- Stringent New Vehicle Standards Proposed by EPA, 04/13/2023
- EPA Proposes New, Stringent Standards for Vehicle Emissions and Fuels (Updated April 8, 2013), 04/02/2013