

Environmental

Chambliss' Environmental and Energy Law Group focuses on compliance counseling, transactional advice, development of practical solutions to environmental problems, and representation of clients' interests in environmental enforcement actions and litigation.

Chambliss' services include:

Compliance Counseling

Chambliss assists clients in complying with environmental requirements with practical and cost-effective compliance programs. Chambliss lawyers regularly complete environmental assessments for clients, develop strategies, and design programs to meet air, water, hazardous waste, and other environmental requirements. Additionally, the firm develops and provides training and reference materials for many client compliance programs, and lawyers identify permitting needs and help clients prepare permit applications and renewals.

Transactional Advice

Environmental risks and regulatory requirements should be promptly identified and addressed for any transaction involving real estate or operating assets. Chambliss lawyers work with buyers and sellers and their environmental professionals to focus on relevant issues to avoid unnecessary time and expense. When assessments are complete, Chambliss helps clients understand the practical implications and helps design solutions to any problems that are identified. Chambliss has extensive experience in structuring agreements to allocate responsibility for both known environmental issues and unknown environmental risks.

Practical Solutions

Chambliss works with clients to develop and implement cost-effective solutions to environmental problems. The Chambliss lawyers regularly help clients obtain the ability to market and develop brownfield sites, even those with extensive contamination from historic uses.

Enforcement Actions and Litigation

The litigation experience of Chambliss' environmental lawyers permit development of cost-effective litigation or settlement strategies for clients faced with environmental enforcement actions or litigation. The firm has helped design and obtain approval of a variety of alternative settlement approaches, including the use of Supplemental Environmental Projects (SEPs). The firm has represented clients on environmental matters before EPA and state environmental agencies in Tennessee and other states, as well as in local courts in Chattanooga and Hamilton County and in state and federal trial and appellate courts throughout the United States.

Experience

Settled claims for violations of stormwater regulations In a representative case, Chambliss' investigation of the facts showed that another landowner was responsible for one significant problem and that other conditions that were the subject of a Commissioner's Order had been fully resolved After filing an appeal, Chambliss helped the client avoid all of the remedial aspects of the Order and settle the civil penalty assessment on favorable terms

Negotiated settlements of notices of violations under air, water, toxic substances and hazardous waste statutes

Negotiated settlements of cost recovery claims under federal and state superfund statutes

Completed multi-media environmental compliance assessments in several business sectors

Developed compliance programs and training

Drafted scopes of work for environmental professionals, focusing on priority risks and issues, and assistance in the oversight of environmental assessment work Chambliss assisted in reducing the cost of a six-figure environmental assessment by more than one-third

Obtained construction and operating permits for industrial and land development clients

Obtained approval of cost-effective brownfields agreements for redevelopment of former industrial sites

Developed and implemented negotiation strategies for limitation of seller responsibility for environmental risks and liabilities

Successfully defended superfund claims at trial and appellate court levels against a municipality that had used a lease arrangement to help finance an industrial development project. The appellate decision confirmed a broad interpretation of lender liability protections under the federal superfund law *Monarch Tile, Inc. v. City of Florence*, 212 F.3d 1219 (11th Cir 2000).
