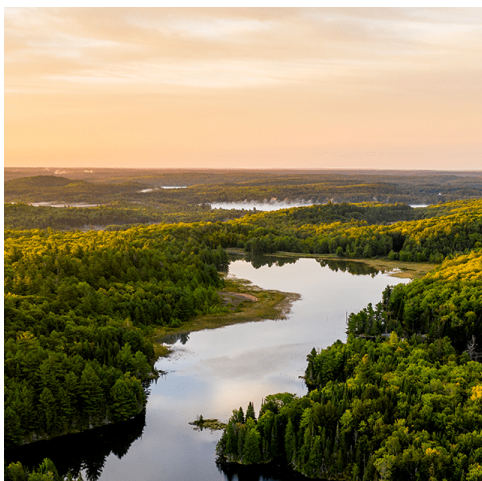


Environmental



Section Chair

Frederick “Rick” L. Hitchcock

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Chambliss environmental attorneys are the go-to resource for local, regional, and national clients seeking practical, cost-effective solutions for compliance counseling, transactional advice, and representation in environmental enforcement actions and administrative proceedings. We have a track record of success in defending clients in local and state courts, federal trial courts, and appellate courts throughout the U.S.

For decades we have immersed ourselves in the environmental industry. When working with our attorneys, clients benefit from our depth of knowledge in both the law and industry trends, as well as the network we’ve built over the years with industry leaders. We’re proud to counsel clients at the forefront of their fields, including [EPB](#), [Astec Industries Inc.](#), and [McKee Foods](#). Our group has diverse backgrounds in environmental compliance, telecommunications, natural resources law and policy, energy law, global sustainability, city water utilities, and geographic science.

We regularly complete environmental assessments for clients, develop sound compliance strategies, and design programs to meet air, water, hazardous waste, and other regulatory requirements. When it comes to transactions, we promptly address environmental risks for buyers and sellers and their environmental professionals. We have extensive experience in structuring agreements to allocate responsibility for both known environmental issues and unknown environmental risks. We also have boots on the ground experience

Related Services

- Real Estate
- Regulatory and Administrative Proceedings

Related Industries

- Chemical
- Communications, Technologies, and Utilities
- Construction
- Energy, Solar, and Renewables
- Manufacturing
- Real Estate

Related People

- Frederick “Rick” L. Hitchcock
- Courtney J. Keehan

with brownfield sites, including those with extensive contamination from historic uses.

Our attorneys are standouts in environmental law. [Rick Hitchcock](#), chair of the section, has been recognized by *Chambers USA* for Environment and by *Best Lawyers in America®* for Energy Law. We have led in various roles for the Environmental Law Section of the Tennessee Bar Association; the Environment, Energy, and Resources Section of the American Bar Association; and Tennessee Association of Manufacturers Environmental Law Section. Our team often shares insight before trade groups at events like the Chattanooga Regional Manufacturers Association Environment, Health, and Safety Summit; Tennessee Chamber of Commerce and Industry's Environment, Safety, and Manufacturing Conference; and the Tennessee Department of Environment and Conservation (TDEC) Environmental Show of the South.

A Snapshot of Our Depth

- Representation in environmental administrative law proceedings before agencies including regional EPA offices and state and federal courts
- Environmental regulatory compliance and investigations
- Appellate cases, alternative settlement approaches, including the use of Supplemental Environmental Projects (SEPs)
- Matters related to The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Solid and hazardous waste management
- Air (including Title V) and stormwater permits – needs, applications, and renewals
- Training and reference materials for command-and-control compliance programs
- Conservation easements
- Land remediation
- Environmental due diligence, often in real estate transactions
- Review of Phase I and Phase II Environmental Site Assessment reports
- Emerging issues like greenhouse gases and allocation of water
- Real estate due diligence

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 brownfield 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)