

## Air

- K&L Gates advised a steel manufacturer on compliance with and implications of the EU Emissions Trading Scheme and allocation under the United Kingdom Allocations Plan.
- K&L Gates is representing animal rendering clients in connection with air emission issues, in particular, odor. Instructions have included challenges to odor boundary conditions placed on environmental permits, defense of clients prosecuted for breaches of odor boundary conditions and general advice on government policy. Acted for the **United Kingdom Renderers' Association** in a judicial review challenge and appeal to the Court of Appeal against a new policy in an amended guidance note for the industry.
- Industrial Client, Southwest U.S., 2002. K&L Gates is representing an industrial client in a citizens' suit under the Clean Air Act challenging the New Source Performance Standards and the New Source Review Standards for operations and maintenance.
- Industrial Client, Kentucky, 2003. K&L Gates is advising a manufacturing client on state and federal requirements associated with installation of air pollution control equipment on an existing major source in a nonattainment area that is being proposed for redesignation to attainment.
- Industrial Client, Pennsylvania, 2002. K&L Gates advised a chemical manufacturer on the compliance requirements of the General Duty Clause under the Clean Air Act Section 113(r), including hazards assessment and release prevention, and assisted the client in preparing for an audit of its production facility by the U.S. EPA.
- Pharmaceutical Manufacturer, Central U.S., 2002. K&L Gates represented a potential buyer of a pharmaceutical manufacturing facility. As part of the proposed transaction, K&L Gates advised the client on the transfer of facility permits and potential Clean Air Act compliance issues associated with existing and planned operations involving the manufacture of organic chemicals.
- Major Power Producer, Mid-Atlantic Region U.S., 2002. K&L Gates counseled the non-utility subsidiary of a major electric utility through the process of procuring air and other essential permits for a 1090 MW

combined cycle power plant, including a complex new source review, NOx budget rule, and interstate air transport issues.

- Specialty Steel Manufacturer located in Pennsylvania. K&L Gates negotiated the successful transfer of emission reduction credits, allowing the client to increase production at its steel finishing facility.
- Natural Gas Pipeline System operating in Northeastern United States. K&L Gates is counseling client on compliance requirements, including New Source Review, Title V permitting, emissions allowances and offset trading.
- Steel Manufacturer located in Pennsylvania. K&L Gates counseled this client on permits necessary to expand production capacity. The client modified its operations to increase production ("debottlenecking"), which triggered PSD applicability. K&L Gates assisted the client in the PSD permitting process, and negotiated an expedited review by PaDEP, allowing the client to respond to market conditions while at the same time complying with the PSD regulations.
- Oil Refinery located in Pennsylvania. K&L Gates successfully negotiated a favorable consent agreement with the Department of Environmental Protection, resolving alleged violations of the air pollution regulations.
- Various industrial and developer clients. K&L Gates has represented various clients in asbestos NESHAP enforcement actions and has successfully negotiated reduced penalties and other penalty mitigation to cost effectively settle these matters.