

Permit Negotiations and Appeals

Companies that need permits and licenses from governmental authorities that are critical to their operations turn to the firm's environmental team. We develop permitting strategies, comment on and negotiate the terms in draft permits, and challenge final permits that fail to provide needed authority. We regularly work on permits governing air emissions, discharges to waterways, waste treatment, storage and disposal, and wetlands development. We have helped clients obtain critical environmental permits at chemical, petrochemical, fertilizer and power plants, refineries, coal mines, and LNG export and bulk materials terminals.

We are careful to establish a solid legal and factual record during the permit issuance process to support your desired permit terms. This also provides a fertile basis for challenging — before administrative review bodies and in court — those permits that fail to meet your needs.

Representative experience

Recently drafted, negotiated, and successfully challenged hazardous waste permit for the clients' operations in West Virginia, Florida, Georgia, Alabama, and Minnesota.

For Los Alamos National Laboratory, negotiated extraordinarily complex stormwater permit with EPA, state officials, and environmental groups covering hundreds of sites contaminated by PCBs and nuclear materials.

We have negotiated dozens of RCRA corrective action permits,

Contacts

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Practices

Environment and Natural
Resources

and chair national seminars on developing cost-effective permit strategies for corrective action.

Supported air quality and climate change permitting for five refinery projects for Flint Hills and a major expansion of a synthetic fertilizer plant for Koch Nitrogen.

Latest thinking and events

Blog Post

The Fifth Circuit's Migratory Bird Treaty Act decision in *Citgo* has broad implications for the U.S. Fish & Wildlife Service's enforcement and permitting programs

Hogan Lovells Publications

Fifth Circuit Determines MBTA's "Takings" Ban Only Applies to Intentional Acts That Directly Kill Migratory Birds

Energy and Natural Resources Alert

Publications

Fish and Wildlife Service Evaluates New Permit Program for Incidental Takes of Migratory Birds

Energy and Natural Resources Alert

Hogan Lovells Publications

How Will the EPA's New Ozone Air Quality Standard Affect the Permitting of New Facilities?

Environment Alert

Hogan Lovells Publications

EPA comments on the April 2013 Keystone NEPA review —monetizing the social costs of carbon dioxide emissions

Environment Alert