



## Gary R. Sheehan Jr.

COUNSEL

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### Services

Litigation; Environmental Litigation; Green Economy; Government & Regulatory; Environmental & Land Use

### Industries

Energy, Utilities & Power Systems; Government & Municipalities; Manufacturing

Gary Sheehan provides representation and counseling services on a wide range of environmental issues associated with complex regulatory, transactional and litigation matters. Mr. Sheehan has significant experience with Clean Air Act matters, including federal and state air quality permitting, compliance and enforcement actions, rulemakings and compliance strategy development. His practice also focuses on counseling for clients in the energy industry. Other areas of his practice include substantial experience with RCRA, CERCLA and Clean Water Act matters, as well as EPCRA and DOT/FAA enforcement actions. Mr. Sheehan also has extensive experience with significant transactional matters for corporate, real estate and financial services clients. A considerable portion of his practice is also devoted to providing guidance to his clients on issues associated with the developing climate change and sustainable development regulatory movements.

Mr. Sheehan has been named a Georgia "Rising Star" in Environmental Law, Environmental Litigation and Administrative Law every year since 2006 by *SuperLawyers* magazine. He is listed in the 2011, 2012 and 2013 editions of *Chambers USA: America's Leading Lawyers for Business* in the area of Environmental Law. Mr. Sheehan was recognized in *The Best Lawyers in America*<sup>®</sup> for Environmental Law in 2013. He was named a 2012 "Legal Elite" for Environmental Law by *Georgia Trend* magazine.

### Experience Highlights

#### Appeal of EPA's rulemaking on Underground Injection Control program for a municipal government \*

Represented a municipal government in South Florida regarding appeal of EPA's rulemaking on Underground Injection Control (UIC) program.

#### Environmental representation for a major wireless telecommunications provider \*

Represented a major wireless telecommunications provider in all environmental aspects of its cell tower acquisitions and development.

#### Asset sale of Greenleaf Environmental Group's environmental remediation business

Represent Greenleaf Environmental Group in the asset sale of its environmental remediation business including the sale of its solid waste processing and hazardous waste storage facility in Macon, Georgia.

#### Environmental litigation for Southeast Lumber Manufacturers Association (SLMA)

Represent Southeast Lumber Manufacturers Association (SLMA), a trade association with approximately 125 independent lumber manufacturer member companies, in the appeal of EPA's recent Major Source and Area Source Boiler MACT Rules to the D.C. Circuit. In addition, we are representing SLMA regarding forest road storm water permitting requirements.

#### Environmental compliance for a multinational manufacturer

Represents a multinational manufacturer of chemicals, glass, fiberglass and coatings by providing environmental legal services. We provide environmental counseling to the client in many areas of environmental law, including water quality, waste management, and in particular on air quality matters. Most recently, we have assisted with its response to several significant EPA Clean Air Act Section 114 requests related to their glass and fiber glass manufacturing operations.

#### Performance of environmental air quality audits for a large producer of construction materials

Represented international building materials company with performance of environmental air quality audits at concrete production facilities nationwide.

#### Renewal of State Air Operating Permit for a car parts manufacturer

Represented a car parts manufacturer, with revisions to and renewal of their State Air Operating Permit and negotiation of key terms related to the installation and operation of a new pollution control device and corresponding monitoring and reporting parameters. Simultaneously advised company on potential litigation with property owners adjacent to the facility.

#### EPA enforcement action involving NSR and NSPS claims for a major electric utility company \*

Successfully defended a major electric utility company from EPA enforcement action involving NSR and NSPS claims.

#### Asset purchases and environmental compliance for Oldcastle Materials Group

Represent Oldcastle Materials Group in a series of asset purchases of mining, aggregate and cement companies located throughout the United States. We also assist with environmental permitting and compliance issues at the operating plants.

#### RCRA and Clean Water Act citizen suit for a poultry rendering plant \*

Defended and negotiated a favorable settlement for a poultry rendering plant against RCRA and Clean Water Act citizen suit.

#### Federal and state rulemakings regarding environmental matters for a major electric utility and industry coalition \*

Represented a major electric utility and industry coalition in all aspects of federal and state rulemakings related to Clean Air Interstate Rule, Clean Air Mercury Rule, NOx SIP Call, development of nonattainment SIPs and stormwater.

#### Clean Air Act for major chemical subsidiaries

Represent major subsidiaries in response to ongoing federal and state Clean Air Act permitting and enforcement of actions related to the companies' use of methyl bromide in its fumigation activities.

#### Carbon sequestration advice to one of the largest U.S. forest products manufacturers

Advice to one of the largest U.S. forest products manufacturers in connection with carbon sequestration issues in the Southeast.

#### \$8 billion merger for a publicly traded North American paper and forestry product company

Lead U.S. environmental counsel in \$8 billion merger of two major, publicly traded North American paper and forestry product companies.

#### Counsel to city on solid waste issues arising out of landfill closure

Represented city in solid waste issues related to the closure of a municipal solid waste landfill.

#### Clean Air Act citizen suit for a major electric utility company \*

Successfully appealed an adverse summary judgment ruling against a major electric utility company in a Clean Air Act citizen suit case involving opacity, MACT and emission offset claims.

#### Purchase of generating stations for a merchant power company \*

Represented a merchant power company in asset purchase of generating stations in Florida and North Carolina.

#### Sewer use agreements for a municipal and county government \*

Represented a municipal and county government in preparation of sewer use agreements with developers.

#### Environmental compliance audits for a major turkey processing company

Represented a major turkey processing company in performance and evaluation of environmental compliance audits at major production operations in the United States.

#### Wastewater permitting and enforcement work for a poultry rendering plant \*

Represented a poultry rendering plant in all aspects of wastewater permitting, including permitting and enforcement work related to its Land Application System (LAS).

\*Experience gained by attorney prior to joining Kilpatrick Townsend

## Publications, Articles and Speaking Engagements

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Get Ready For Stricter RMP Enforcement  
Law360, May 17, 2013

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Industrial Boiler MACT and Solid Waste Incinerator Rules Seminar  
June 02, 2010

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Regulation of Greenhouse Gas Emissions: What's Next?  
North Carolina Bar Association's Environmental News, April 01, 2009

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Hot Air Topics: Gaining a Regulatory Advantage, Common Permitting Mistakes, & an Air Toxics Update  
Georgia Environmental Law Bar Summer Seminar, July 01, 2006

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Marketing Our Air: Using Economic vs. Administrative Systems To Control Air Pollution  
Georgia Air Quality & Climate Summit, May 01, 2006

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Taking Care of CAIR  
Natural Resources and Environment Journal, July 01, 2005

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Industrial Boiler MACT RULE: Applicability, Deadlines & Compliance Strategy  
Boiler MACT Compliance Seminar, April 01, 2005

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Environmental Liability and Bond Financing  
Real Estate Finance Journal, July 01, 2001

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Where's My Grandfather (Clause)?  
State Bar of Georgia, November 01, 1999

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Proposed Revisions to the Federal Clean Water Act's TMDL Program and NPDES Program: Why You Should Care  
Georgia and Southeast Environmental News, November 01, 1999

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Proposed Pan for the Atlanta Ozone Nonattainment Area: The Answer to Atlanta's Air Problems or Death-Knell for  
Economic Development  
Georgia and Southeast Environmental News, September 01, 1999

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### **Professional & Community Activities**

Metro Atlanta Chamber of Commerce, Environmental Policy and Sustainability Committee

Keep Georgia Beautiful Foundation, Board Member

### **Education**

Emory University School of Law, J.D. (1998)  
*with highest honors*

University of Virginia, B.A., English (1993)

### **Bar Admissions**

Georgia (1998)