

Practice Contact

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Climate Change and Green Technology

Concerns about climate change and global warming, and increasing emphasis on development and use of “green” technology and building practices, pose significant new challenges for many of our clients. In many jurisdictions, there is increasing regulation of the carbon emissions of industrial facilities. Efforts to develop alternative energy sources, such as wind farms or coal gasification projects, often give rise to litigation, zoning, permitting, construction, and contract issues. Builders may face disputes about obtaining Leadership in Energy or Environmental Design (LEED) certification and the allocation of “Green Credits.” We help our clients to anticipate and prepare for these kinds of challenges and to address and comply with the rapidly changing governmental standards in these areas.

The legal issues arising from alternative energy and green technology cut across many different areas of the law. We help our clients to address these challenges through an interdisciplinary group of experienced real estate, energy, environmental, government affairs, and litigation attorneys. Our representative experience in this area includes:

- Representing a client in the permitting and construction of an ethanol plant
- Negotiating the apportionment of millions of dollars in “Green Credits” to be used to assist in the design and construction of a biomass co-generation plant
- Working with a public client on reviewing and planning for green infrastructure, including tax/green credit tax incentive funding components
- Assisting both a public client and a private developer in the revitalization of an old steel manufacturing building, including tax/green credit tax incentive funding components

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- Representing several clients in the permitting and building of wind generation farms in Ohio and prevailing in litigation over township zoning issues aimed at limiting or prohibiting the construction of wind generation farms
- Permitting one of the first major deep well carbon sequestering projects in the Nation.
- Assisting with the siting and permitting of a major coal gasification facility to turn coal into an alternative fuel.