



## Brook Detterman

Associate

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155 Federal Street, Suite 1600, Boston, MA, 02110-1716

### **Brook's practice focuses on climate change, renewable energy, and environmental litigation.**

Brook helps his clients to navigate domestic and international climate change programs, develop renewable energy projects, and generate carbon offsets. He helps his clients to negotiate, structure, and implement transactions related to carbon offsets and renewable energy, and works with clients during all phases of renewable energy and carbon offset project development. Brook also represent clients during complex environmental litigation, having served as litigation and appellate counsel during dozens of proceedings in state and federal courts across the country.

Prior to joining the firm, Brook was an associate in the environmental department of a large international law firm.

Brook served as a law clerk at the U.S. Department of Justice, Environment and Natural Resources Division, where he worked on a range of legal issues arising under federal environmental law, including Clean Water Act (CWA) wetlands jurisdiction, liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA) compliance, and National Environmental Policy Act (NEPA) requirements.

Brook also maintains an active pro bono practice, counseling individuals and non-profit entities on a range of legal matters in Massachusetts.

### **Education**

- Dartmouth College (B.A., 1998)
  - Environmental Studies
  - Environmental Studies Department, Teaching Assistant
  - Biology Department, Research Assistant
- Lewis & Clark (J.D., *magna cum laude*, 2009)
  - Certificate in Environmental & Natural Resources Law

- Environmental Law Review, Associate Editor
- Moot Court Honor Board

### **Bar Admissions**

- Massachusetts
- District of Columbia

### **Court Admissions**

- U.S. Court of Appeals - First Circuit
- U.S. Court of Appeals - Third Circuit
- U.S. District Court – District of Columbia
- U.S. District Court – Colorado
- U.S. District Court - Massachusetts
- U.S. District Court – Western District of New York

### **Professional Affiliations**

- Boston Bar Association Air Quality & Climate Change Committee, Co-Chair

### **Honors & Awards**

- *Super Lawyers, part of Thomson Reuters, Massachusetts Rising Star (2017-2018)*

## **Representative Matters**

*Prior results do not guarantee future outcomes.*

### **Climate Change/Renewable Energy**

Brook's climate change and renewable energy experience includes:

- Providing advice to a broad range of clients on state and federal renewable energy policies, incentives, and regulations.
- Advising clients during the structuring and development of numerous carbon offset and renewable energy projects and transactions, including U.S. forest offset projects, hydroelectric projects under the Clean Development Mechanism, domestic landfill gas-to-energy development, and a novel trans-border carbon offset generation project involving chlorofluorocarbon (CFC) destruction.
- Representing Native American tribes and corporations during the development of large carbon offset projects on tribal forest lands.

- Drafting model renewable portfolio standards.
- Developing regulatory guidance and strategy for over thirty energy companies on a wide range of environmental issues, including state and federal greenhouse gas regulations.
- Counseling clients on carbon accounting, the social cost of carbon metrics, and climate risk disclosure.

## Litigation

Brook's litigation experience includes:

- Winning a complete victory, after a six-week jury trial in federal court, for a major multinational corporation accused of causing contamination in a waterway adjacent to a former facility.
- Obtaining summary judgment for a major utility in Clean Air Act (CAA) litigation involving thousands of claims and alleged damages exceeding \$100 million.
- Representing clients in numerous cases brought under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and state Superfund laws.
- Serving as primary counsel in Third Circuit appeal of Environmental Protection Agency (EPA) regulatory action directed at an electric generating facility.
- Representing refinery and utility companies during litigation related to the adoption of state and federal regulations governing air quality and emissions.

## Publications

April 8, 2019

### **EPA Announces Plan to Classify Wood-Based Power as Carbon Neutral**

Beveridge & Diamond

March 26, 2019

### **Maryland Legislators Propose Raising State's Renewable Portfolio Standard to 50%**

Beveridge & Diamond

February 27, 2019

### **Will Massachusetts and Other Northeastern States Move to Aggressively Price Carbon Emissions?**

Beveridge & Diamond

February 5, 2019

### **Offshore Wind Advances, BOEM Extends Comment Deadline for Vineyard Wind**

Beveridge & Diamond

February 1, 2019

**Carbon Markets Roundup**

Beveridge & Diamond

December 17, 2018

**MA Superior Court Reverses Historic District Commission Decision Denying Approval of Solar Panels on Historic Church**

Beveridge & Diamond

October 23, 2018

**Will EPA 'ACE' Its Attempt to Replace the Clean Power Plan? A Deeper Dive into EPA's Proposed Affordable Clean Energy Rule**

Beveridge & Diamond

September 11, 2018

**Massachusetts Supreme Judicial Court Upholds GHG Caps for Electricity Sector and Affirms the Continued Viability of Chevron-style Deference in Massachusetts**

Beveridge & Diamond

September 1, 2018

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

August 21, 2018

**EPA Proposes Affordable Clean Energy Rule to Replace Clean Power Plan**

Beveridge & Diamond

July 1, 2018

**Carbon Markets Roundup**

Beveridge & Diamond

June 1, 2018

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

May 24, 2018

**Major Offshore Wind Projects Advance in Massachusetts and Rhode Island**

Beveridge & Diamond

May 11, 2018

**CARB's Use of Little-Known Enforcement Tool Should be of Paramount Concern for LCFS Participants**

Beveridge & Diamond

March 16, 2018

**EPA Continues Reforms to NSR and Other Clean Air Act Permitting Programs**

Beveridge & Diamond

March 1, 2018

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

March 1, 2018

**Carbon Markets Roundup**

Beveridge & Diamond

February 28, 2018

**Industry Wins First Round in California Climate Change Litigation**

Beveridge & Diamond

January 22, 2018

**How The Climate Changed For Renewables In 2017**

Beveridge & Diamond

January 1, 2018

**Climate Regulation: United States**

Environment & Climate Regulation

December 13, 2017

**The Science And Controversy Of Offshore Wind**

Law360

September 1, 2017

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

June 29, 2017

**California Supreme Court Refuses to Take Up Challenge to Cap-and-Trade Program**

Beveridge & Diamond

June 2, 2017

**President Trump Announces Withdrawal from Paris Agreement on Climate Change**

Beveridge & Diamond

June 1, 2017

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

May 23, 2017

**TSCA Nanomaterial Reporting Rule: EPA Delays Effective Date and Releases Draft Guidance for Public Comment**

Beveridge & Diamond

May 18, 2017

**Virginia Begins Development of Cap-and-Trade Program for Electric Power Sector**

Beveridge & Diamond

April 19, 2017

**Climate Regulation in California: A State of Constant Change**

Beveridge & Diamond

March 28, 2017

**New Executive Order Creates a Changed Climate for Climate Change and Energy**

Beveridge & Diamond

March 1, 2017

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

January 1, 2017

**Climate Regulation: United States**

Environment & Climate Regulation

December 21, 2016

**Massachusetts Proposes New Greenhouse Gas Rules for Electric Generation, Natural Gas, and Transportation Sectors**

Beveridge & Diamond

September 1, 2016

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

June 1, 2016

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

April 14, 2016

**Net Metering 2.0: Big Changes Across New England**

Beveridge & Diamond

March 29, 2016

**Massachusetts Considering Taking Control of Clean Water Permitting**

Beveridge & Diamond

March 1, 2016

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

January 1, 2016

**Climate Regulation: United States**

Environment & Climate Regulation

September 1, 2015

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond

June 1, 2015

**Massachusetts Environmental and Land Use Alert**

Beveridge & Diamond