



Brook Detterman

Principal

bdetterman@bdlaw.com

+1.617.419.2345

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 represents 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
- Maine

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
- Maine State Bar Association
- American Bar Association, Section of Environment, Energy and Resources

Honors & Awards

- *Super Lawyers, part of Thomson Reuters, Massachusetts Rising Star (2017-2019)*

Representative Matters

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 2, 2021

Biden Administration Proposes Major Investments In Energy As Part of Infrastructure Proposal

Beveridge & Diamond

February 16, 2021

Biden Administration Rapidly Advances Climate Change Agenda

Beveridge & Diamond

February 9, 2021

Agriculture In Focus Under Biden Climate Policy

Beveridge & Diamond

February 4, 2021

California Leads Nation With Introduction of Ambitious Climate Disclosure Bill in State Legislature

Beveridge & Diamond

February 4, 2021

D.C. Circuit Vacates Trump ACE Rule: What's Next for Power Plant CO2 Regulation?

Beveridge & Diamond

January 27, 2021

Treasury Department Finalizes Regulations to Govern 45Q Tax Credits for Carbon Capture and Sequestration

Updated January 8, 2021

Prepared for Takeoff: EPA Finalizes First-Ever Domestic Greenhouse Gas Standards for Aircraft

Beveridge & Diamond

December 29, 2020

Hitching a Ride on the Omnibus: COVID Relief and Appropriations Act Includes Major Climate Change and Energy Provisions

Beveridge & Diamond

Updated December 10, 2020

COVID-19 Impacts in Massachusetts: Governor Returns Businesses to Phase 3 Step 1 and State Jury Trials Delayed Until January

Beveridge & Diamond

November 30, 2020

EPA Finalizes Key NSR Reform Rule That Will Allow Consideration of Emissions Decreases When Assessing NSR Applicability

Beveridge & Diamond

September 2020

B&D Attorneys Edit, Author the Environment and Climate Change Chapters of *Lexology Getting the Deal Through*

Lexology Getting The Deal Through

October 23, 2020

FERC Policy Proposal May Advance State Efforts to Price Carbon Emissions

Beveridge & Diamond

September 22, 2020

Wildfires Burn Carbon Offsets

Beveridge & Diamond

September 21, 2020

Carbon Markets Roundup

Beveridge & Diamond

August 31, 2020

Prepare for Takeoff: EPA Proposes First-Ever Domestic Greenhouse Gas Standards for Aircraft

Beveridge & Diamond

August 25, 2020

Will California Adopt First-of-its-Kind Legislation Governing GHG Emissions from Land-Based Activities?

Beveridge & Diamond

August 11, 2020

Federal Court Dismisses Federal Challenge to California's Cap-and-Trade Linkage to Quebec Program

Beveridge & Diamond

Updated July 30, 2020

Massachusetts SMART Program Regulations: More Solar Capacity, Less Land Area

Beveridge & Diamond

July 8, 2020

MassDEP Reopens Public Comment Period for Targeted Issues in Draft 2020-2030 Solid Waste Master Plan

Beveridge & Diamond

July 2, 2020

CORSIA Updates: ICAO Drops 2020 Emissions from CORSIA Baseline and Launches the CORSIA Central Registry

Beveridge & Diamond

June 15, 2020

Treasury Department Proposes Regulations to Govern Tax Credits for Carbon Capture and Sequestration

Beveridge & Diamond

June 9, 2020

CORSIA Updates: Baseline Decision Imminent and New Offset Programs in the Works

Beveridge & Diamond

June 8, 2020

Growing Climate Solutions Act Introduced with Broad Bipartisan Support

Beveridge & Diamond

May 6, 2020

Virginia Clean Economy Act Requires Extensive New Clean Energy Measures

Beveridge & Diamond

April 1, 2020

ICAO Approves Initial Carbon Offset Programs for CORSIA

Beveridge & Diamond

December 18, 2019

Transportation and Climate Initiative Issues Draft Cap-and-Investment MOU, Seeks Public Comment

Beveridge & Diamond

October 24, 2019

Trump DOJ Sues California, Seeks to End State's Cap-and-Trade Agreement with Québec

Beveridge & Diamond

October 11, 2019

MassDEP Issues Draft 2020-2030 Solid Waste Master Plan for Public Comment

Beveridge & Diamond

October 2, 2019

FERC Proposes the First Comprehensive Reform of its PURPA Regulations Since 1980: Renewables Under the Gun?

Beveridge & Diamond

August 28, 2019

Seventh Circuit Rejects CERCLA Claims Filed Nineteen Years After Settlement

Beveridge & Diamond

August 22, 2019

Maryland Establishes Task Force on Renewable Energy Development and Siting

Beveridge & Diamond

August 12, 2019

Carbon Markets Roundup

Beveridge & Diamond

August 8, 2019

EPA Proposes to Amend Key NSR Permitting Criteria

Beveridge & Diamond

July 25, 2019

World Trade Organization Panel Ruling Casts a Shadow on State Preferences in Renewable Energy Laws

Beveridge & Diamond

July 22, 2019

Maryland High Court Finds State Authority to Approve Renewable Energy Projects Preempts Local Zoning Authority

Beveridge & Diamond

July 11, 2019

Virginia Regulators Considering Amendments to Rules for 150 Megawatt Solar Projects

Beveridge & Diamond

June 20, 2019

New York State Passes Sweeping Climate Legislation That Could Affect Nearly All Sectors

Beveridge & Diamond

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 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 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 2018

Carbon Markets Roundup

Beveridge & Diamond

June 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 2018

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond

March 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

2018

Climate Regulation: United States

Environment & Climate Regulation

December 13, 2017

The Science And Controversy Of Offshore Wind

Law360

September 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 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 2017

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond

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 2016

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond

June 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 2016

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond

2016

Climate Regulation: United States

Environment & Climate Regulation

September 2015

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond

June 2015

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond