



David M. Friedland

Principal

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David's practice touches every aspect of the regulation of air pollution under the Clean Air Act and state and local air pollution statutes and regulations.

On the regulatory side, he has helped companies and trade associations prepare comments on scores of proposed rules including revisions to the ozone and particulate matter NAAQS, several rounds of PSD/NSR regulations (e.g., the WEPCO rule in 1992, the NSR Reform rule in 2002, the equipment replacement rule in 2003, and the Duke hourly rate rule in 2006), numerous MACT standards (e.g., the boiler, commercial and industrial solid waste incinerator, aerospace, coil coating, site remediation, medical waste incinerator, off-site waste and recovery (OSWRO), wool fiberglass, hazardous waste combustors, and MON rules), the credible evidence rule, federal and state Title V rules, and state and local rules (e.g., CARB rules for off-road diesel engines and large spark-ignition engines). He has litigated many of these rules in the D.C. Circuit and elsewhere either as an industry petitioner or as an intervenor in suits brought by environmental groups. Most of these cases have resulted in favorable settlements (e.g., litigation relating to the MON, the OSWRO residual risk and technology (RTR) rule, the reciprocating internal combustion engine (RICE) NESHAP, the organic liquids distribution MACT, the aerospace MACT), while others have resulted in published opinions. *See, e.g. U.S. Sugar Corp. v. EPA*, 830 F.3d 579 (D.C. Cir. 2016), *Sierra Club v. EPA*, 167 F.3d 658 (D.C. Cir. 1999); *Cement Kiln Recycling Coalition v. EPA*, 255 F.3d 855 (D.C. Cir. 2001).

Once the rules are in place, he counsels a wide range of companies on compliance. His clients include petroleum refineries, chemical manufacturers, cement and glass manufacturers, pharmaceutical producers, consumer products manufacturers, waste management entities such as landfills and waste to energy facilities, can manufacturers, wastewater treatment plants, real estate developers, communications companies, and trade associations representing numerous industries such as lime manufacturers, the airlines, road and home building, and chemical companies. Day to day counseling issues include compliance with the complicated preconstruction permitting requirements of the federal and state PSD/NSR programs; compliance with the plethora of MACT/NESHAP and NSPS standards; responses to over fifty Section 114 requests for a diverse group of companies; and

counseling on a wide range of Title V questions, including the application for, amendment and appeal of, and certification of compliance with, these permits that are often hundreds of pages long.

David has chaired the firm's Air & Climate Change Practice Group and the firm's Environmental Practice Group. He formerly served as chair of the Air Quality Committee of the ABA's Section on Environment, Energy and Resources.

Education

- Georgetown University (B.S., *magna cum laude*, 1979)
- Georgetown University (J.D., *cum laude*, 1983)

Bar Admissions

- District of Columbia
- Colorado

Professional Affiliations

- American Bar Association (Chairman, Air Quality Committee, Environment, Energy, and Resources Section)

Honors & Awards

- *The Best Lawyers in America*®, a *Best Lawyers* publication, recognition in Environmental Litigation (2015-2020) and Environmental Law (2019-2020)
- *Super Lawyers*, part of *Thomson Reuters*, Washington, DC, Super Lawyer (2013-2019)
- *Who's Who Legal*, part of *Law Business Research Ltd.*, recognition in Environmental Law (2017-2018)
- *Chambers and Partners - USA*, ranked Band 5 in Environmental Law (2013-2017)