



Zachary B. Pilchen

Associate

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Zach is a former Attorney-Advisor in the Environmental Protection Agency (EPA) Office of General Counsel.

Whether advising policymakers in the executive branch, legislative branch, or private sector, Zach takes a goals-oriented approach to his client's needs—often drawing connections across environmental programs.

In EPA's Office of General Counsel, Zach advised EPA policymakers on the development of air pollution and climate change regulations under the Clean Air Act (CAA). A former member of EPA's Clean Power Plan legal team, Zach is well-versed in regulatory and litigation issues related to administrative law and power plant efficiency. His work at EPA included CAA rulemakings to close loopholes that allowed stationary sources to exceed emission limitations during periods of startup, shutdown, or malfunction; rulemakings implementing the CAA's "Good Neighbor" provision with respect to cross-state air pollution; and other rulemakings effectuating the National Ambient Air Quality Standards (NAAQS). Additionally, he drafted EPA Administrator orders responding to citizen petitions that challenged the legitimacy of state-issued Title V operating permits, and he has experience determining when emissions from multiple facilities must be aggregated as a single source for permitting purposes. Zach also served as lead counsel for EPA on matters arising under the Fifth Amendment's Takings Clause.

In addition to his EPA experience, Zach spent two years detailed to the U.S. Senate Committee on Environment & Public Works—first on a fellowship through the Brookings Institution, and later as an executive branch detailee. In the Senate, he advised Democratic policymakers on an array of environmental matters. He was deeply involved in drafting and negotiating an important bipartisan amendment to the Clean Water Act (CWA) that reformed how ballast water and similar vessel discharges are regulated for cruise ships, cargo ships, and other large commercial vessels. Zach also assisted with drafting the bipartisan legislation that phases down hydrofluorocarbons (HFCs)—a potent class of greenhouse gases—among other high-profile matters.

Zach has received numerous awards for his professional work, including EPA's Gold Medal for Exceptional Service, and the U.S. Department of Justice (DOJ) Assistant Attorney General's Award for Excellence.

Throughout his legal education, Zach demonstrated a passion for federal public service, taking internships and clerkships in the EPA Office of Compliance; the EPA Office of Civil Enforcement; the

EPA Office of Administrative Law Judges; the U.S. Attorney's Office in Oregon; and the power plant litigation group of DOJ's Environmental & Natural Resource Division in Washington, DC.

Zach's master's thesis, "Bridge Over Troubled Water," evaluated ways that EPA, States, and citizens might use the CWA to address climate change and ocean acidification.

Zach is admitted only in Virginia. Practicing pursuant to D.C. App. Rule 49(c)(8) under the direct supervision of Principals of the Firm.

Education

- College of William and Mary (B.A., 2010)
 - Environmental Policy, Government
- Lewis & Clark (J.D., *magna cum laude*, 2013)
 - Environmental & Natural Resources Law Certificate
 - Environmental Law Review, Associate Editor
 - National Moot Court Competition Team
 - National Animal Law Moot Court Competition Team
 - Cornelius Honor Society
- George Washington University (LL.M., *with Highest Honors*, 2015)
 - Randolph C. Shaw Graduate Fellow in Administrative Law

Bar Admissions

- Virginia

Honors & Awards

- Capital Pro Bono High Honor Roll (2020)
- Rising Star Award, Lewis & Clark Law School (2020)
- EPA Bronze Medal for Commendable Service – NSR-SIP litigation (2018)
- EPA Bronze Medal for Commendable Service – Title V permitting team (2017)
- DOJ Assistant Attorney General's Award for Excellence – Clean Power Plan Litigation Team (2016)
- EPA Gold Medal for Exceptional Service – Clean Power Plan development (2016)
- EPA Silver Medal for Superior Service – Startup, Shutdown, Malfunction SIP Call (2016)
- National Order of Scribes (2013)
- First Place Appellate Moot Court Team, National Animal Law Competition (2013)
- Lewis F. Powell, Jr. Medal for Excellence in Advocacy, American College of Trial Lawyers (2012)

Publications

February 4, 2021

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

Beveridge & Diamond

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

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

June 9, 2020

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

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June 8, 2020

Growing Climate Solutions Act Introduced with Broad Bipartisan Support

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