

**THOMAS G. DELAWRENCE**

Partner | Birmingham

- Environmental & Natural Resources

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**Education**

- The University of Alabama School of Law, J.D., 2006, *cum laude*
- Birmingham-Southern College, B.S., 2001, *cum laude*

**Bar Admissions**

- Alabama, 2006

**Tom DeLawrence** focuses on national and state level environmental law issues, with particular emphasis on administrative, legislative, enforcement/litigation, and compliance matters under the Clean Water Act (CWA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Resource Conservation and Recovery Act (RCRA).

Tom also focuses on transportation law, primarily assisting businesses and transportation companies with licensing/permitting issues in corporate transactions, as well as regulatory compliance issues involving the United States Department of Transportation (DOT)/Federal Motor Carrier Safety Administration (FMCSA).

**Q&A**

• **What types of clients do you represent?**

Individuals, trade associations, electric utilities, manufacturing companies, industrial companies, municipalities, counties, businesses, brokers, and transportation companies that are or have the potential to be regulated by any federal, state, and/or local environmental or transportation law.

- **What previous experiences, prior to your work at Balch, influence your practice?**

My bachelor's degree in Biological Chemistry from Birmingham-Southern College has provided me core knowledge that enables me to understand the highly technical issues impacting my clients' operations.

This keen understanding of the engineering and scientific issues impacting my clients allows me to provide more comprehensive advice because I have a greater appreciation for how regulatory and legal issues impact their processes.

- **What do you find most exciting about your work?**

The fact that each day can be--and usually is--entirely different than the previous one because my practice consists of a blend of litigation, regulatory compliance, and legislative affairs work. Equally exciting is the fact that I get to assist clients in addressing cutting-edge issues that are of national significance.

- **What do you see on the horizon in your area of practice?**

The resources and costs entities must dedicate to comply with federal, state, and local regulation is at an all time high. This trend will likely continue for the foreseeable future. Entities subject to this ever-expanding control will need to rely on competent lawyers to assist them in navigating the regulatory landscape and I look forward to the challenges and rewards presented by this development.

## SELECT MATTERS

- **Regulatory Compliance:** Assist energy, municipal, industrial, and developer clients on compliance, permitting, and liability issues under RCRA, CERCLA, and the CWA, with particular focus on water quality, stormwater, and Corps Section 404 issues
- **CWA Litigation:** Represent industrial, municipal, and developer clients in various enforcement actions and citizen suits, as well as in litigation challenging NPDES permits issued by permitting authorities and seeking injunctive relief from stormwater discharges causing property damage
- **Regulatory Rulemakings:** Prepare comments for various energy, municipal, industrial, developer, and trade association clients to national, state, and local CWA rulemakings, including EPA's Steam Electric Power Generating Effluent Guidelines, CWA 316(b) regulations for cooling water intake structures, and Construction and Development Effluent Guidelines, as well as Total Maximum Daily Loads issued by state agencies and various ordinances issued by local government
- **NPDES Permits:** Assist various energy, municipal, and industrial clients in obtaining CWA wastewater and stormwater discharge permits from EPA, state agencies, and local permitting authorities, including preparation of comments to draft permits issued by the aforementioned administrative bodies
- **CERCLA/RCRA Strategy:** Assist clients in understanding, avoiding and/or minimizing potential CERCLA and RCRA liabilities associated with the lease or purchase of properties, including evaluation of risks discovered in Phase I and II Environmental Site Assessments and potential advantages offered by Brownfields programs administered by EPA and state agencies
- **Clean Air Act Litigation:** Represent various electric utilities in enforcement actions and citizen suits

alleging violations of the New Source Review and other provisions of the CAA

- **CERCLA Litigation:** Represent industrial and developer clients in recuperating costs in CERCLA cost-recovery, contribution, and professional standard of care actions involving various types of real property
- **Transportation:** Assist businesses and transportation companies with license and permitting issues stemming from various corporate mergers and acquisitions, as well as regulatory compliance issues, including commercial driver's license, medical examination certification, and hours-of-service issues
- **Legislation:** Assist industrial and developer clients in drafting state legislation pertaining to various environmental and property issues

## PUBLICATIONS

NOVEMBER 2009

[Are There "ACES" in the Hole for the American Clean Energy and Security Act?](#)

ABA Energy Committees Newsletter, Vol.7, No. 1

## SPEAKING ENGAGEMENTS

AUGUST 2-3, 2018

[2018 Susan B. Livingston Boot Camp for Success](#)

Each year, Balch hosts the Susan B. Livingston Boot Camp for Success to equip incoming law students with the tools needed to be successful during law school and throughout their future as attorneys.

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JULY 27 - 28, 2017

[Susan B. Livingston Boot Camp for Success](#)

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MAY 2016

[Environmental Issues Impacting the Construction and Development Industry](#)

Balch & Bingham 2016 Construction Summit

## CREDENTIALS

[Professional Affiliations](#)

- American Bar Association, Section of Environment, Energy, & Resources
- Alabama Bar Association, Environmental Law Section

- Birmingham Bar Association

#### Awards & Accolades

- The Best Lawyers in America®
- Mid-South Super Lawyers, Rising Star, 2014 – present
- Alabama State Bar Leadership Forum, Graduate, 2016

#### Community Involvement

- St. Mary's on the Highland's Episcopal Church