

**CONTACT**

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**PRACTICES**

Air  
Climate Change  
Litigation & Investigations  
Renewable Energy

**EDUCATION**

Temple University Law School  
Princeton University  
Haverford College

**BAR AND COURT ADMISSIONS**

District of Columbia Bar

**KYLE W. DANISH**

**PARTNER**



**Professional Background**

Kyle Danish advises a range of clients on environmental and energy matters, with a special focus on regulation, permitting, enforcement, and legislation under the Clean Air Act and corporate climate strategy, and development of major infrastructure projects. His clients include energy companies, manufacturers, financial institutions, think tanks, and industry coalitions.

He has been recognized by Chambers USA, Chambers Global, the International Who's Who of Environmental Lawyers, and Best Lawyers in America.

Kyle is a Senior Associate (Non-Resident) in the Center for Strategic and International Studies' Energy and National Security Program. He is also on the editorial board of the Carbon & Climate Law Review.

He is a frequent speaker and has published numerous articles, including a recent white paper entitled, ["Assessing the Risks and Opportunities of Climate-Related Regulation and Litigation for the U.S. Power Sector."](#)

Kyle serves as a member of the firm's Executive Committee.

**Representative Experience**

- Representation of a coalition of rural electric power co-operatives in a lawsuit against a generation owner over the allocation of charges for environmental compliance. The lawsuit is pending in the Federal District Court for the Middle District of Louisiana.
- Representation of a company in an enforcement action under the Renewable Fuels Standard program, leading to the government's decision to decline to pursue the action.
- Advisor to an energy company on Clean Air Act permitting requirements for multiple facility projects.
- Counsel to a global internet and technology company on development of greenhouse gas emission standards for power plants, and opportunities for renewable energy.
- Representation of clients on state-level climate policies under development in California, Washington, Oregon, and Virginia.
- Counsel to a multinational energy company on methane emission standards for facilities in the oil and gas sector.
- Commissioned by a client to develop a [white paper](#) analyzing risks and opportunities for power companies from future greenhouse gas regulation and litigation.

**Government Service**

**Virginia Secretary of Natural Resources**

Special Assistant to the Secretary, 1990-1992

**Awards and Honors**

**Legal 500**

Environment - Transaction and Regulatory, since 2014

#### Chambers USA

Climate Change, 2008-2019  
Environment (Washington, DC), 2011-2019

#### Chambers Global

Climate Change, since 2008

#### Legal 500 - Recommended Attorney

Environment - Regulatory, 2019

#### Super Lawyers

2010-2011, 2014-2015, 2017-2019

#### *International Who's Who of Business Lawyers*

Environmental Law, since 2010

#### "Best Lawyers in America" by *Best Lawyers*

Environmental Law, 2011-2020  
Litigation-Environmental, 2011-2020

#### [Who's Who Legal, Climate Change 2017](#)

Thought Leader

### Articles and Presentations

- The Future of Pacific Northwest Low Carbon Fuels, Environmental Law Institute, POET LLC, and Van Ness Feldman LLP, Seattle WA, 06/07/2019
- The 34th Annual Western States Energy Conference, Utah Association of Energy Users, Salt Lake City UT, 05/02/2019
- Van Ness Feldman White Paper: Assessing the Risks and Opportunities of Climate-Related Regulation and Litigation for the U.S. Power Sector, 10/01/2018
- Expert Stakeholder Workshop: Energy and Environment Developments in the PJM Region, Great Plains Institute and the Nicholas Institute for Environmental Policy Solutions, Washington DC, 05/02/2018
- The Future of the Clean Power Plan and Trump Administration Climate Policy, Center for Strategic & International Studies Commentary, 09/21/2017
- Climate Change in the West, Law Seminars International, Seattle WA, 02/16/2017
- Pathways for US Greenhouse Gas Emissions Reduction: What Options are on the Table?, Center for Strategic & International Studies, Washington DC, 11/02/2016
- Advanced Energy Economy Webinar, 10/27/2016
- U.S. Energy Policy in the 2016 Elections and Beyond: Incremental or Transformational?, Center for Strategic and International Studies, Washington DC, 04/26/2016
- [Proposed Air Quality Rules May Pose Challenge to Offshore Oil and Gas Industry](#), Law360.com, 03/24/2016
- Implications of the Supreme Court Decision to Stay the Clean Power Plan, 02/16/2016
- [Clean Power Plan 2016 Outlook](#), Center for Strategic and International Studies, Washington DC, 01/27/2016
- Will the Clean Power Plan Stand Up to Legal Scrutiny? Will it Survive?, ICF International, Washington DC, 10/15/2015
- ECO:nomics - Creating Environmental Capital, The Wall Street Journal, Santa Barbara CA, 03/25/2015

- Early Clean Power Planning - A Hedging Strategy for Sec. 111(d), Public Utilities Fortnightly, pp. 34-40, 02/01/2015
- The Clean Air Act and Global Climate Change, The Clean Air Act Handbook, 4th Edition  
The American Bar Association, 01/01/2015
- National Association of Utility Regulatory Commissioner's 126th Annual Meeting, San Francisco  
California, 11/16/2014
- Ute Tribal Energy Conference and Expo, Denver CO, 10/14/2014
- Reducing Methane Emissions from the U.S. Natural Gas Sector, The Electricity Journal, 06/11/2014
- Inventory of Federal Regulations Affecting Biofuels other than the Renewable Fuel Standard, Prepared  
for the Bipartisan Policy Center, 02/01/2014
- The International Climate Regime, Global Climate and U.S. Law, 2nd Ed.  
The American Bar Association, 01/01/2014
- Workshop on Greenhouse Gas Regulation of Power Plants, Bipartisan Policy Center, Washington DC,  
09/25/2013
- Energy in California: New Policy Drivers, Opportunities and Challenges, Law Seminars International,  
San Francisco CA, 11/12/2012
- EPA Finalizes Air Pollution Transport Rule, The Environmental Counselor, Vol. 276 pp. 6, 08/16/2011
- The Clean Air Act and Global Climate Change, The Clean Air Act Handbook, 3rd Edition  
The American Bar Association, pp. 521, 08/12/2011
- Standard Arguments, Trading Carbon, 04/14/2011
- Upcoming EPA Regulations and Potential Impacts on Electric Reliability, The Electricity Journal, Vol. 24  
Issue 3 pp. 7-21, 04/09/2011
- EPA Lays Further Groundwork for Permitting of Greenhouse Gas Sources Under The Prevention of  
Significant Deterioration Program, The Environmental Counselor, Issue 267, 11/30/2010
- Greenhouse Gas Regulation: EPA Takes Center Stage (Webinar), Van Ness Feldman, 09/30/2010
- International Offsets and U.S. Climate Legislation, Environmental Law Report, Vol. 40 pp. 10610,  
07/01/2010
- Opening Editorial of the Special Issue on Climate Legislation and Regulation in the United States,  
Carbon and Climate Law Review, Vol. 4 Issue 2, 07/01/2010
- Second-Best World, Trading Carbon, 05/01/2010
- New and Improved Course for a Climate Regime, The Environmental Forum, pp. 48, 03/01/2010
- 2010 Outlook for U.S. Energy and Environmental Policy, Webinar, 01/13/2010
- Offsets in the Emerging U.S. Cap-and-Trade Programmes, Legal Aspects of Carbon Trading: Kyoto,  
Copenhagen, and Beyond (D. Freestone and C. Streck eds., 2009), 10/01/2009
- Carbon taxes are fine, but a cap-and-trade program is better, Trends, The American Bar Association,  
Vol. 40 Issue 4, 03/01/2009
- U.S. Energy and Climate Change Policy: What to Expect in 2009, Bloomberg Law Reports: Sustainable  
Energy, Vol. 2 Issue 1 pp. 1, 01/09/2009
- Rocky Mountain Mineral Law's Special Institute on Resources and Climate Change, Phoenix AZ,  
04/10/2008
- ALI-ABA Global Warming: Climate Change and the Law, Washington DC, 04/03/2008
- Electric Energy: Markets, Regulation and Investment, Law Seminars International, Washington DC,  
03/03/2008
- NWA 2008 Annual Conference: "The Climate of Hydro", Northwest Hydroelectric Association, Portland

OR, 02/19/2008

- Air Quality Regulation in the Pacific Northwest, Seattle WA, 10/15/2007
- The International Regime: An Overview of the International Structures Addressing Climate Change, Sustainable Development Law & Policy, Chapter 2, Vol. VII Issue 2 pp. 31, 01/01/2007
- Connecting the Dots on Climate Change, Climate Registry, Dana Point CA, 04/20/2006
- International Relations Theory, Oxford Handbook of International Environmental Law (D. Bodansky, J. Brunnée, and E. Hey eds., 2006), 09/01/2005
- Assessing the Options for a Mandatory U.S. Greenhouse Gas Reduction Program, Boston College Environmental Affairs Law Review, Vol. 32 pp. 97-163, 06/01/2005
- Climate Change: The Heat Is On, Public Utilities Fortnightly, pp. 54, 01/01/2004
- Designing a Mandatory Greenhouse Gas Reduction Program for the U.S., Pew Center for Global Climate Change, 05/01/2003
- Designing a Climate-Friendly Energy Policy: Options for the Near Term, Pew Center on Global Climate Change, 07/01/2002

### Alerts

- EPA Finalizes Affordable Clean Energy Rule, 06/24/2019
- EPA Proposes Affordable Clean Energy Rule, 08/22/2018
- California Extends and Strengthens Cap-and Trade Program , 07/24/2017
- California's Cap-and Trade Program Wins in Court, Program's Future Still Unclear, 04/10/2017
- Trump Order Sets Up Rollback of Obama Energy and Climate Action, 03/30/2017
- Climate Change Policy Developments in Washington State, 03/23/2017
- Executive Actions May Impact the Future of Energy Infrastructure Projects and Domestic Manufacturing, 01/26/2017
- BLM's Final Methane and Waste Prevention Rule Creates Compliance Uncertainty, 11/21/2016
- EPA Takes Actions to Reduce Methane Emissions from the Oil and Gas Sector , 05/16/2016
- Proposed Air Quality Rules May Pose Challenge to Offshore Oil and Gas Industry, 03/18/2016
- Reflections on the BLM's Proposed Methane and Waste Reduction Rule, 02/08/2016
- New Rule & Initiatives to Limit Carbon Gaining Traction in Washington State, 01/11/2016
- Observations about the Paris Climate Agreement and its Implications for U.S. Businesses , 12/17/2015
- EPA Issues Package of Proposed Rules to Reduce Methane Emissions from the Oil and Gas Sector , 08/19/2015
- Caught "Short": Are You Better Off Under the Clean Power Plan than You Were 14 Months Ago?, 08/17/2015
- Are You Better Off Under the Clean Power Plan than You Were 14 Months Ago?, 08/12/2015
- EPA Issues Regulations to Control Carbon Dioxide Emissions from the Power Sector, 08/05/2015
- After Michigan v. EPA: What Comes Next for EPA's Power Plant Mercury Rule?, 07/01/2015
- FERC Approves Pipeline Modernization Policy Statement, 04/21/2015
- Obama Administration Announces Plans to Control Methane Emissions from the Oil and Gas Sector , 01/14/2015
- Five Things to Look for in the Obama Methane Policy Announcement, 01/13/2015
- FERC Offers Analytical Framework for Pipeline Recovery of Costs Related to Safety, Reliability, and

Environmental Compliance Costs and Requests Comments, 11/21/2014

- Supreme Court Rejects Extending Clean Air Act Permitting Authority Based Solely on GHGs but Upholds GHG Limitations on Otherwise Regulated Stationary Sources, 06/24/2014
- EPA Proposal for Regulating CO<sub>2</sub> Emissions from Modified Power Plants Would Require Efficiency Improvements, But Not CCS, 06/05/2014
- EPA Issues Proposed Clean Power Plan to Limit Greenhouse Gas Emissions from Existing Power Plants, 06/02/2014
- Supreme Court Rejects D.C. Circuit Vacatur of Cross-State Air Pollution Rule, 05/05/2014
- White House Releases Climate Action Plan to Reduce Methane Emissions, 03/31/2014
- OUTLOOK 2014: KEY POLICY DEVELOPMENTS, 01/23/2014
- New and Emerging Developments in California's Cap-and-Trade Program Will Have Significant Impacts on Western Power Markets, 01/14/2014
- Supreme Court Will Review Whether EPA Clean Air Act Permitting Authority Extends to Greenhouse Gases, 10/23/2013
- EPA Proposes New Standards to Regulate Carbon Dioxide Emissions from New Power Plants, 09/24/2013
- EPA Regulation of Greenhouse Gas Emissions from Existing Power Plants: Issues and Options, 06/27/2013
- EPA Proposes New, Stringent Standards for Vehicle Emissions and Fuels (Updated April 8, 2013), 04/02/2013
- EPA Proposes Greenhouse Gas Emission Limits for New Electric Generating Units, 03/29/2012
- EPA Expands Climate Agenda to the Current Fleet of Power Plants and Refineries, 01/19/2011
- EPA Finalizes Endangerment Finding for Greenhouse Gases, 12/09/2009