Van Ness Feldman LLP
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CONTACT

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202.298.1863

PRACTICES

Air
Waste & Hazardous Substances

EDUCATION

American University, Washington College of Law
Dartmouth College

BAR AND COURT ADMISSIONS

District of Columbia Bar
Maryland State Bar

BRITT SPEYER FLEMING

PARTNER

Professional Background

Britt Speyer Fleming represents automobile manufacturers, specialty vehicle manufacturers, large public power utilities, engine and equipment manufacturers, trade associations, and coalitions before Congress, federal, and state agencies. Her practice focuses on environmental law and regulation, energy policy, and technology development issues affecting these industry sectors. Since joining the firm in 1997, she has advised clients on compliance with and the business implications of various federal and state environmental and energy policy laws, with special emphasis on the Clean Air Act (CAA).

With respect to the Clean Air Act, Britt regularly represents clients in the development of mobile and stationary source air regulations and policies and counsels them on related implementation and compliance matters. She counsels clients on compliance with federal and California vehicle emission standards and emission standards for a variety of off-road engines and equipment as well as issues related to enforcement of those standards.

In addition, Britt assists clients with permitting both new facilities and modification projects at the state and federal levels.

Britt is coordinator of the firm's Environmental practice.

Representative Experience

Clean Air Act Compliance, Enforcement, & Permitting

- Advises electric utilities on compliance strategies related to the U.S. Environmental Protection Agency's (EPA) new regulatory requirements for air toxics, water, and waste. Representation includes meetings and interaction with EPA Headquarters and applicable EPA regional offices.
- Worked closely with a large public utility client to obtain a Federal Power Act 202(c) Emergency Order to address potential non-compliance with environmental regulations. Representation required interaction with the Department of Energy (DOE).
- Assists natural gas pipeline companies with Clean Air Act issues raised during the certification process before the Federal Energy Regulatory Commission (FERC), as well as during the state environmental permitting process.

Vehicle & Engine Emissions Regulation & Enforcement

- Represented manufacturers of off-road engines and manufacturers of recreational vehicles in enforcement actions involving allegations of Clean Air Act violations (certification, labeling). Resolution involved extensive interactions with attorneys from EPA's OECA and the Department of Justice (DOJ) to develop a mitigation strategy and penalties.
- Represented heavy-duty engine manufacturers, off-road engine and equipment manufacturers, and recreational vehicle manufacturers before the California Air Resources Board (CARB) in resolving alleged violations of California's emission certification, labeling, and reporting requirements. Settlement negotiations involved CARB enforcement and legal staff.
- Represented a non-profit organization in federal appellate challenges to EPA's decision to grant a waiver of federal preemption for California's Small Off-Road Engines (SORE) emissions standards, that impact manufacturers nationwide.

Air Toxics Rulemaking, Policy, & Industry Counseling

- Represented an association of automobile manufacturers in the strategy and rule development for air toxics regulations applicable to numerous plant operations, including surface coating (auto, plastic and metals), gasoline distribution, emergency engines, liquids storage, engine testing, and industrial boilers, among others. Engagement entailed working with companies to respond to the Information Collection Request, drafting comments, supplemental comments and technical amendments, and organizing and attending meetings with EPA staff and management and the Office of Management and Budget (OMB).
- Challenged, on behalf of an industry association, EPA's air toxics rule applicable to reciprocating internal combustion engines (RICE). Representation involved meetings with Department of Justice (DOJ) and EPA Office of General Counsel (OGC) attorneys and developing consensus-based settlement with client association and other associations in the consolidated proceeding.

Government Service

U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Air Enforcement Division

Legal Extern, 1997.

Awards and Honors

"Best Lawyers in America" by *Best Lawyers*

Environmental Law, 2027

Chambers USA

Environmental Law - District of Columbia, 2021-2026

Legal 500 - Leading Attorney - Environment - Regulatory, 2024

Articles and Presentations

- 2020 NACo Legislative Conference, National Association of Counties, Washington DC, 02/29/2020
- SAE International's Government/Industry Meeting, Washington DC, 01/23/2020
- Proposed Air Quality Rules May Pose Challenge to Offshore Oil and Gas Industry, Law360.com, 03/24/2016
- Legal Perspective of the MATS Rule, Webinar, 05/24/2012

Alerts

- A New Road Ahead: NHTSA Eases Fuel Economy Standards and Reshapes Compliance Options, 09/30/2026
- California Will Establish Conditional Approval Path for Aftermarket Parts, 09/18/2026
- EPA Repeals Power Plant Carbon Pollution Standards and Proposes to Repeal All Power Plant Greenhouse Gas Emissions Standards, 09/17/2026
- California Adopts Replacement Tire Efficiency Rules, 08/20/2026
- EPA Proposes to Revise Biden-era Heavy Duty Truck Rules, Continuing EPA Pattern of Deemphasizing In-Use Emission Compliance, 07/23/2026
- Plastic and Packaging EPR Laws – Key Considerations and Impending Compliance Deadlines, 05/28/2026
- EPA Repeals the 2024 Updates to the Mercury and Air Toxics Standards (MATS) for Coal- and Oil-Fired Power Plants , 02/25/2026
- EPA Rescinds 2009 Endangerment Finding and Repeals Vehicle GHG Standards, 02/18/2026

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- Important Legal and Policy Developments Continue to Reshape Compliance for Motor Vehicle Manufacturers and Fleet Owners and Operators in the U.S., 02/04/2026
- Minnesota Finalizes Jan. 1, 2026, PFAS Reporting Requirement, Impacting Manufacturers of Complex Products, 12/15/2025
- EPA Proposes Major Exemptions to PFAS Reporting Requirements , 11/13/2025
- CARB Postpones Rulemaking on California's Climate Disclosure Laws, Heightening Compliance Uncertainty for Large Companies , 10/24/2025
- EPA Announces Automatic Addition of PFHxS-Na to the Toxics Release Inventory, Triggering Mandatory Reporting Requirements, 10/09/2025
- EPA Proposes Major Revisions to TSCA Chemical Risk Evaluation Framework Rule, 09/25/2025
- Regulatory Whiplash for Heavy-Duty Vehicle and Engine Manufacturers: Congressional Review Act Rescinds CARB Waivers, Prompting Wave of Litigation and Uncertainty, 08/27/2025
- Trump Administration Proposes to Repeal 2009 Endangerment Finding, 08/01/2025
- EPA Proposes Repeal of Greenhouse Gas Emissions Standards and Update to Toxic Emission Standards for Power Plants, 06/16/2025
- EPA Extends Submission Dates for the PFAS Reporting Rule, 05/13/2025
- PFAS Reporting Requirements Persist Amid EPA Deregulation, 03/25/2025
- EPA and California Move to Further Regulate PFAS Chemicals, 10/08/2024
- EPA Finalizes Major Power Plant Rules, 04/26/2024
- EPA Finalizes Chemical Risk Evaluation Rule to Enhance Protection of Public Health, 04/25/2024
- EPA Heavy Truck Standards to Drive Down GHG Emissions, 04/01/2024
- EPA Files Record Climate Enforcement Action Against Corporate HFC Importer, 03/27/2024
- EPA Finalizes Groundbreaking Multipollutant Standards for Passenger Vehicles, 03/20/2024
- EPA Tightens the Fine Particulate Matter Standard, 03/07/2024
- EPA Strengthens Risk Planning and Management Requirements for Industry, 03/05/2024
- EPA Emphasizes its Criminal Enforcement Program, 02/26/2024
- New EPA Enforcement Priorities Target Climate Change, PFAS Contamination, and Coal Ash Impoundments, 08/24/2023
- EPA Releases Landmark Greenhouse Gas Standards for Power Plants, 05/12/2023
- Stringent New Vehicle Standards Proposed by EPA, 04/13/2023
- Reducing Smog in Downwind States: EPA Finalizes "Good Neighbor Plan", 03/21/2023
- EPA Proposes Tighter Wastewater Discharge Standards for Coal-Fired Power Plants, 03/13/2023
- EPA Proposes Updated RFS Volume Requirements and a New RFS Credit Market for Electric Vehicles, 12/06/2022
- Supreme Court Limits EPA's Authority to Regulate Greenhouse Gas Emissions, 06/30/2022
- DOJ Restores Supplemental Environmental Projects in a Slate of Environmental Justice Initiatives, 05/12/2022
- EPA Amends Freedom of Information Act Regulations, 07/03/2019
- EPA Finalizes Affordable Clean Energy Rule, 06/24/2019
- EPA Reconsiders Cost Justification for MATS and Proposes No Additional Requirements for Power Plants, 01/09/2019
- D.C. Circuit Decision Loosens Restrictions on Solid Waste, 03/23/2018

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- Proposed Air Quality Rules May Pose Challenge to Offshore Oil and Gas Industry, 03/18/2016
- EPA Promulgates Long-Awaited Final Rule Revising the Definition of Solid Waste, 12/17/2014
- EPA Proposal for Regulating CO_2 Emissions from Modified Power Plants Would Require Efficiency Improvements, But Not CCS, 06/05/2014
- OUTLOOK 2014: KEY POLICY DEVELOPMENTS, 01/23/2014
- EPA Proposes New Standards to Regulate Carbon Dioxide Emissions from New Power Plants, 09/24/2013
- EPA Issues Final Rule Regulating Mercury, Other Pollutants from Power Plants, 12/22/2011