



## Jimmy F. Kirkland

### *Profile*

Jimmy Kirkland brings a strong technical background and regulatory experience to his legal practice as a Member in the Environmental Practice Group of Womble Carlyle's Atlanta office. Prior to joining Womble Carlyle, Mr. Kirkland served for 17 years as a member of the Tort Litigation and Environmental Team at King & Spalding LLP in Atlanta, Georgia.

Mr. Kirkland also worked as a principal environmental engineer and manager for the Georgia Department of Natural Resources, Environmental Protection Division (EPD). At EPD, Mr. Kirkland had experience in air and hazardous waste permitting, inspection and enforcement prior to creating and managing EPD's 24-hour emergency response team and setting up and managing EPD's Right to Know Program. Mr. Kirkland's experience includes:

### *CERCLA, RCRA and Georgia's Hazardous Site Response Act*

- Representing potentially responsible parties in negotiation and litigation at Superfund sites.
- Representing property owners and banks on properties subject to Georgia's Hazardous Site Response Act.
- Representing clients in negotiation of voluntary clean-up programs and Brownfields agreements.
- Extensive experience in assessment of the applicability and compliance with RCRA and the negotiation of settlements involving RCRA issues.
- Regularly working with clients and consultants to craft and negotiate creative and cost effective soil and groundwater remediation strategies under CERCLA, RCRA, Brownfield programs and voluntary initiatives.
- Represented a joint venture aggregate materials client in negotiations with the California Department of Toxic Substances Control (DTSC) to obtain a favorable remediation agreement involving a significantly contaminated property pursuant to the California Land Reuse and Revitalization Act (CLRRA).
- Advising a client regarding remediation issues associated with vinyl chloride in deep groundwater with karst geology.
- Conducted negotiations with Arkansas state agency regarding applicability of RCRA to historical discharges at facility resulting in groundwater impacts to deep aquifer. Reached a favorable agreement involving a voluntary investigation.

### *Compliance Audits*

- Significant experience working with clients to develop and implement comprehensive environmental management and compliance assurance systems consistent with the company's business goals.

### *Areas of Practice*

*Environmental  
Law/Regulatory  
Compliance/Enforcement/  
Defense/  
Toxic Tort Litigation*

### *Contact Information*

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- Extensive experience designing and conducting multimedia regulatory compliance audits of complex industrial manufacturing processes throughout North and South America, including integration of audits with existing ISO 14001 environmental management systems. Supervised audits involve assembling a multidisciplinary audit team consisting of legal and technical experts, assigning tasks and evaluating findings.

### ***Internal Investigations***

- Advising clients and conducting internal investigations in response to government allegations of environmental violations of Clean Water Act, RCRA and Clean Air Act.

### ***Water***

- Working with landowners to establish wetlands mitigation banks.
- Assisting clients with wetlands and stormwater issues.

### ***Air***

- Assisted start-up company in obtaining air permits for biomass gasification facilities.
- Advising clients on construction and operating permits and compliance requirements, including New Source Review/Prevention Significant Deterioration, MACT, Title V and state minor source permits including Risk Management Program.
- Represented major oil company in negotiations with EPA regarding air emissions at a proposed LNG deepwater port in the Gulf of Mexico.

### ***Real Property Transactions***

- Providing counseling and advice on compliance, environmental risks and liabilities in real property transactions to a wide variety of clients including manufacturers, banks, real estate developers and purchasers including Latin American transactions.

### ***Professional Activities***

Admitted to bar, 1980, Georgia. Admitted to practice before the Northern District of Georgia and Eleventh Circuit Courts of Appeals.

### ***Prior Legal and Business Experience***

Of Counsel, King & Spalding LLP, Atlanta, Georgia, 1989-2006.

Environmental Engineer and Manager, Georgia Environmental Protection Division, 1976-1989.

*Education*

Bachelor of Industrial Engineering, 1973, Georgia Institute of Technology.

Juris Doctor, 1980, Atlanta Law School.

Master of Taxation, 1984, Georgia State University.

*Presentations*

“Impact of Economic Downturn on Stormwater Management,” Presentation at the Georgia Water Resources Conference, Athens, Georgia, April 13, 2011.