
ENVIRONMENTAL LAW, FACILITIES & INFRASTRUCTURE

For many years, BEITEN BURKHARDT has advised vendors and purchasers, investors, proprietors, plant owners and operators on all environmental law issues arising in relation to the acquisition, establishment and operation of commercial and agricultural companies.

We provide advice and support on infrastructure projects, in particular in relation to transport and renewable energy projects, but also on utility lines and pipeline construction. We develop economic and pragmatic solutions in close consultation with the applicable authorities and other interested parties, such as environmental experts, technical and economic advisers, architects and project managers.

Contaminated sites, environmental hazards

We identify and evaluate existing liability issues on contaminated sites or with respect to soil and ground water pollution, and provide our clients with support when dealing with official orders and the conclusion of sanitation agreements.

We clearly allocate any identified liability risks for environmental hazards in our clients' best interests in share and land purchase agreements or other agreements: our clients profit from our experience in advising on operative environmental issues.

Plant operation and permits

We assist with all types of procedures for the authorisation of facilities and plans (such as planning approval or authorisation procedures under the Federal Emissions Control Act (BImSchG)), including with all agreements arising under public law. In the process, we deal with all related issues, e.g. on the conservation of nature and biodiversity, on waste regulation and on water supply and sewerage collection and treatment. We also support our clients with issues related to the handling of dangerous substances and compliance with industry requirements (e.g. WEEE Directive, RoHS Directive / Electrical and Electronic Equipment Act (ElektroG), Packaging Regulation, Industrial Emissions Directive), and by monitoring future developments.

Of course, defending our clients' facilities or plans against measures taken by authorities (e.g. retrospective requirements, site closures or decontamination orders) and third party attacks (e.g. neighbours, competitors) or against intrusive projects (e.g. for plant emissions in the neighbourhood) all fall with the scope of our expertise.

Infrastructure projects

We negotiate with owners and use subsequent procedures for the right to take possession or for expropriation in order to create the necessary rights for infrastructure projects. We provide support to our clients with respect to the financing of facility and infrastructure projects, and with applications for subsidies and other financial aid.

Brussels

Working with strong players in the waste sector, we are well versed in environmental law, specifically in the environmental regulations applicable to waste management (including WEEE and RoHS). This complex area of regulatory law is a fundamental aspect of all advice given to clients active in this sector.

Our knowledge of this area of law has also been instrumental in settling a number of complaints and treaty infringement procedures before the European Commission.

We regularly advise on EU regulatory law, contractual matters, litigation, procurement procedures, and restructuring or new businesses.

Russia

With our many years of local experience, we assist you in all stages of your project: from selecting a site to planning, construction, redevelopment, start-up or shut-down to the demolition of buildings and plants. We assist you with your risk assessment when acquiring companies, properties and other real estate and check for unauthorised storage of waste, emission of harmful substances, discharge of harmful substances into rivers, lakes and seas, unpaid fees or lacking sanitary facilities.

LEGAL AREA ENVIRONMENTAL LAW, FACILITIES & INFRASTRUCTURE

Another priority is the implementation of „green construction“ projects, including energy conservation and efficiency. We have further acquired special knowledge in many economic sectors, such as the construction, automotive, and mining industries, and agriculture.

AT A GLANCE:

- Environmental due diligence for the acquisition of companies, properties and plants
- Legal opinions on environmental law issues
- Drawing up of approval documentation
- „Green“ lease and tenancy agreements
- Advice in connection with investigations by environmental control authorities
- Defence of interests in environmental law disputes