

# Robert A. Manning

## Shareholder

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## Practice & Industry Areas

- Environmental & Land Use Law
- Energy

## Education

- University of Tennessee, Knoxville, TN, J.D., *magna cum laude*
- University of Florida, Gainesville, FL, B.A., 1985

## Bar & Court Admissions

- Florida, 1994
- US Supreme Court, 2013
- D.C. Circuit Court, 2005
- 11<sup>th</sup> Circuit Court, 2013
- Northern District of Florida, 2000

## Overview

A native Floridian, Robert Manning has been practicing environmental law for nearly three decades. He advises utilities and private businesses on issues involving air quality, including policy development, legislation, rulemaking, permitting and enforcement. Although his practice often focuses on issues affecting the electric utility industry, he also represents other industrial and municipal clients involved in phosphate, solid waste management, oil and gas, chemical, fuel distribution and cement.

In everything he does, Robert is committed to going the distance to solve complicated problems, often involving complex scientific theory. Robert enjoys connecting personally with clients and helping them identify their overarching objectives, and devising actionable solutions grounded in sound legal theory and regulatory compliance. Because of his longevity of practice, Robert is in the unique position of having been involved in many air quality law issues since their inception. He strives to provide clients with the perspective and foundation they need to make smart choices when it comes to environmental compliance.

Robert remains grateful for the opportunity to give back to the community, most recently building wheelchair ramps for the elderly and disabled, participating on team builds for Habitat for Humanity, and as a member of the United Way's Community Resource Team. In his free time, Robert enjoys outdoor adventures with friends, including mountain biking, boating, hiking and golf, and trying to keep up with his two granddaughters. Over the last few years, Robert has also roamed over 50,000 miles around the country on his Harley-Davidson.

## Representative Matters

- Experience with U.S. Environmental Protection Agency information requests under Section 114 of the Clean Air Act and the national New Source Review enforcement initiative.
- Assisted clients in preparing construction and Title V air permit applications and negotiated permits with local, state, and federal permitting authorities.
- Defended clients against local, state, and federal enforcement actions alleging noncompliance with environmental laws.
- Frequent lecturer at public conferences and client seminars on various environmental and administrative law issues.
- Manages issues related to air quality regulation for the Florida Electric Power Coordinating Group, Inc. Recent complex actions include New Source Review permitting, Regional Haze Rule submittals, climate policy development, creating approaches to recent revisions to National Ambient Air Quality Standards, and commenting on a barrage of federal air-quality regulations.
- Counsel in protracted, multi-party litigation in the U.S. Court of Appeals for the D.C. Circuit regarding the federal Clean Air Interstate Rule and the Cross-State Air Pollution Rule.
- Represents public and private industrial clients in matters before local, state and federal agencies, primarily relating to air quality regulation, permitting, and enforcement.

### Published Decisions:

- *North Carolina v EPA*, 531 F.3d 896 (D.C. Cir. 2008)
- *EME Homer City Generation, L.P. v EPA*, 696 F.3d 7 (D.C. Cir. 2012)
- *EPA v EME Homer City Generation, L.P.*, 134 S. Ct. 1584 (2014)
- *EME Homer City Generation, L.P. v EPA*, 795 F.3d 118 (2015)
- *State of Wisconsin v EPA*, 16-1406 (D.C. Cir. Sept. 13, 2019)

## Honors

- *The Best Lawyers in America*®

- Administrative/Regulatory Law, 2019-24
- Environmental Law, 2019-24

## **Publications & Presentations**

- “New Developments in Florida’s Air Quality Regulations,” 36th annual Environmental Permitting Summer School, Florida Chamber Foundation, July 2022

## **Professional Associations & Memberships**

- Florida Bar Association
  - Environmental & Land Use Law Section, 1994-present
    - Executive Council, 1998-2008
    - Chair, 2007-08
  - Administrative Law Section
- Air & Waste Management Association, 1995-present
  - Chair of State Section, 2006
  - Chair of Big Bend Chapter, 2005

## **Civic & Community Service**

- United Way Community Resource Team, Member
- Wheelchair Ramp Building, Team Member
- Habitat for Humanity