



Robert L. Brubaker

counsel to the firm

Rob has practiced in the field of environmental law since 1972. He represents manufacturers, utilities, small businesses, trade associations and public sector clients with regard to the Clean Air Act and other environmental matters. His practice includes permitting, administrative rulemaking, adjudications and appeals, and trial and appellate court environmental litigation.

He drafted major provisions of both the 1993 Ohio legislation to implement the federal Clean Air Act Amendments of 1990 and the 2006 regulatory reform amendments to the Ohio Air Pollution Control Act.

Rob has briefed and argued numerous Clean Air Act cases in the U.S. D.C. and Sixth Circuits and Ohio Supreme Court and appellate courts, and has defended dozens of Clean Air Act enforcement actions and citizen suits in federal and state courts. He has been a principal counsel for electric utility defendants in EPA's power plant New Source Review enforcement initiative.

Rob is general counsel to the Ohio Chemistry Technology Council, a member of the Council Group and past chair of the American Bar Association Infrastructure and Regulated Industries Section (formerly the Section of Public Utility, Communications and Transportation Law), a Fellow of the American College of Environmental Lawyers, and a Fellow of the American Bar Foundation. He is coeditor of the *Government Institutes' Ohio Environmental Law Handbook*. Rob is AV rated by Martindale-Hubbell®, has been consistently listed in *Best Lawyers*®, is listed in the International Who's Who of Environmental Lawyers 2005-2017, is recognized by *Ohio Super Lawyers*® in the environmental practice area, and is named one of Ohio's leading environmental lawyers by *Chambers*

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SOCIAL MEDIA

Blogs
energylawreport.com

EDUCATION

University of Chicago Law School,
J.D., 1972

Earlham College, B.A., 1969

SERVICES

Environmental

Energy

- Clean energy
- Oil and gas
- Renewable energy and sustainability initiatives

Government & Regulatory Affairs

- Regulatory advocacy
- Legislative advocacy

Litigation

- Environmental litigation

USA. He co-chairs the firm's Sustainability Initiatives Practice Group. Rob has taught air pollution law and policy as an adjunct professor at Capital University Law School.

Rob is a frequent presenter on air pollution law and policy throughout the past 30-plus years at seminars and conferences of the American Bar Association, the Clean Air Act Information Network, the Air & Waste Management Association, the Manufacturers' Education Council, the Ohio Chamber of Commerce, the Ohio Chemistry Technology Council and the Ohio Manufacturers' Association, among others.

BAR ADMISSIONS

- Ohio
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Northern District of Ohio
- Supreme Court of the United States

PRESENTATIONS

- "The 'Major Questions' Doctrine Sinks the Clean Power Plan and Marks a Major Milestone in Administrative Law," American Bar Association's Infrastructure and Regulated Industries Section (IRIS) Podcast, June 14, 2023.
- "Regulatory Forum - Update on State and Federal Regulatory Policies," Ohio Chemistry Technology Council's 38th Annual Conference, April 24, 2018
- "Climate Change, Title V and the PSD – The Plot Thickens," 24th Annual Conference on Air & Water Permits – Environmental Permitting in Ohio, July 1, 2014
- "Title V Change Management," 24th Annual Conference on Air & Water Permits – Environmental Permitting in Ohio, July 1, 2014
- "Air Permits: You Ask the Regulatory Experts," 24th Annual Conference on Air & Water Permits – Environmental Permitting in Ohio, July 1, 2014

PUBLICATIONS

- "The 'Major Questions' Doctrine sinks the Clean Power Plan and marks a major milestone in administrative law," ABA Infrastructure and Regulated Industries Section, Winter 2022
- "The ACE Rule and the *Chevron* doctrine," *Infrastructure*, Fall 2021
- "Part two: The clean power plan: Legal challenges and prospects," *Infrastructure*, American Bar Association Infrastructure and Regulated Industries Section, Winter 2017
- "Part one: The clean power plan: Legal challenges and prospects," *Infrastructure*, American Bar Association Infrastructure and Regulated Industries Section, Fall 2016

SERVICES (CONTINUED)

Business Growth & Operation

- Sustainability initiatives

Real Estate

- Sustainability initiatives

- “United States Supreme Court issues surprise stay of EPA’s Clean Power Plan,” The Ohio Chemistry Technology Council, Feb. 15, 2016
- “Annual Report of the Environmental Committee of the American Bar Association Section of Public Utility,” Communications and Transportation Law, 2004-present

PROFESSIONAL ASSOCIATIONS

- American College of Environmental Lawyers, Fellow
- American Bar Association, Infrastructure and Regulated Industries Section, Committee Vice Chair, Section Council Group Member; Section on Environment, Energy, and Resources Law
- American Bar Foundation, Fellow
- Ohio State Bar Association, Administrative Law Committee, Environmental Law Committee
- Columbus Bar Association, Environmental Law Committee
- Air and Waste Management Association, past Chair of East Central Section

HONORS | AWARDS

- *Chambers USA*, “Senior Statesman,” Natural Resources and Environment, Ohio
- *The Best Lawyers in America*®
- *The Best Lawyers in America*® “Lawyer of the Year,” Environmental Law, Columbus, Ohio, 2011
- Ohio Super Lawyers
- Who’s Who in American Law
- Who’s Who of Environmental Lawyers
- Martindale-Hubbell®, AV Preeminent

COMMUNITY

- The Breathing Association, Board of Trustees, Past Chair
- Capital University Law School, Adjunct Professor of Environmental Law