

**Kirsten L. Nathanson**

Partner  
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**Washington**

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**Practice Areas**

- Environment & Natural Resources
- Administrative & Regulatory
- Litigation
- Trial Practice
- Environmental & Toxic Tort Litigation
- Trade Associations

**Kirsten L. Nathanson** is a partner in the firm's Environment & Natural Resources Group, focusing on environmental litigation, enforcement defense, risk assessment, and regulatory counseling under the major federal environmental and public lands statutes. Her litigation experience covers the Clean Water Act, Clean Air Act, Endangered Species Act, NEPA, SMCRA, RCRA, and CERCLA, encompassing citizen suit defense, regulatory challenges, remediation cost recovery and defense, Administrative Procedure Act actions, and EPA enforcement.

Current representative engagements include:

- representing a coal company in litigation under NEPA and other federal public lands law related to future operations in the Powder River Basin;
- litigation for various national trade associations against EPA challenging the Chesapeake Bay Total Maximum Daily Load (TMDL) as contrary to the APA and Clean Water Act;
- representing a Fortune 10 company in its contribution claims at a National Priorities List Superfund site;
- performing an environmental risk assessment for a Fortune 100 company's product line;
- litigation for the National Mining Association against EPA and the Corps of Engineers under the APA, Clean Water Act, NEPA, and SMCRA challenging the Enhanced Coordination Process and Detailed Guidance directed toward eastern U.S. coal mining operations;
- defending a Fortune 50 company in a citizen group challenge to the company's environmental remediation activities at a historical industrial facility;
- representing a corporation at the Berry's Creek Study Area, a complex multi-party contaminated sediment CERCLA site; and

- serving as Clean Water Act regulatory and litigation counsel to multiple national trade associations serving agriculture and forestry.

Prior engagements of note include:

- defending a natural gas company in a threatened Clean Water Act citizen suit related to operations in the Marcellus shale;
- litigating the first Endangered Species Act citizen suit against a wind energy project;
- representing a coal company in a citizen suit brought under RCRA and SMCRA related to the company's handling and disposal of coal ash;
- defending a Clean Water Act criminal enforcement action against a private wastewater treatment corporation;
- litigating through trial a Clean Water Act citizen suit for a major animal agriculture corporation;
- serving as national coordinating counsel to a Fortune 10 company in its toxic tort litigation;
- conducting an internal Clean Water Act investigation for a corporation related to historical development activities in wetlands;
- regulatory litigation for the National Mining Association under SMCRA, and for agricultural trade associations under the Clean Water Act and Clean Air Act;
- conducting an internal investigation and risk assessment for a Fortune 100 corporation related to the company's remediation activities;
- defending EPA enforcement actions under CERCLA, including defense of unilateral administrative orders; and
- NEPA litigation for a land developer requiring public lands access for a planned resort development.

Her experience includes federal district court motions and trial practice and federal appellate oral arguments. She is admitted to practice before the U.S. Supreme Court and numerous federal appellate and district courts nationwide.

Kirsten currently serves as Co-President of the Washington, D.C. Chapter of the Women's Energy Network. She is a Past President and a member of the Board of Trustees of the Energy & Mineral Law Foundation and also leads the Crowell & Moring Women Attorneys' Network.

### Education

- University of Pennsylvania, B.A. (1992) *cum laude*

- George Washington University Law School, J.D. (1998) with high honors, The Order of the Coif

**Affiliations**

Admitted to practice: District of Columbia, Maryland