



Patrick J. Fanning
Associate

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Patrick Fanning is an environmental and natural resources lawyer at Troutman Sanders. His practice focuses on representing corporations, industry groups, local governments, and individuals in all aspects of environmental law, including environmental counseling, regulatory compliance, permitting, and litigation arising under the Clean Water Act, the Resource Conservation and Recovery Act, the Endangered Species Act, the National Environmental Policy Act, the Surface Mining Control and Reclamation Act, and state counterparts. Patrick has particular expertise in matters arising under the Clean Water Act, regularly participating in federal and state rulemakings and criteria development, and counseling clients and national and state trade associations regarding the same. He has experience representing local governments and industries on water supply, wastewater, and stormwater issues, regularly advising them on permitting, planning, compliance, and enforcement.

Much of Patrick’s work is in the Chesapeake Bay watershed, where he assists clients with Chesapeake Bay TMDL compliance strategies, including nutrient credit trading and mitigation banking. Patrick also has experience representing clients before the Virginia General Assembly and in state court litigation.

In addition to serving clients at Troutman Sanders, Patrick maintains an active pro bono practice which includes serving as pro bono counsel to the Richmond region’s land conservancy, the Capital Region Land Conservancy.

Representative Matters

Environmental Litigation

- Defended state NPDES Permit reissuance for municipal and industrial dischargers in State Court.
- Represented client interests in temperature TMDL litigation in Federal District Court.
- Defended CWA citizen suit for unpermitted discharges in Federal District Court.
- Drafted multiple amicus curiae briefs in State Court litigation regarding

Practice

- Environmental and Natural Resources
- Pipeline

Education

- University of Richmond (J.D., cum laude, 2013)
University of Richmond Journal of Law & Technology, Articles Editor
 Moot Court, Board Member
 Merhige Center for Environmental Studies, Legal Fellow
- University of Virginia (B.A., 2009)

Work Experience

- Associate, Troutman Sanders LLP, 2015-present
- Associate, AquaLaw PLC, 2013-2015
- Summer Associate, Woods Rogers PLC, 2012
- Summer Associate, Steptoe & Johnson PLLC, 2011, 2012

Bar and Court Admissions

- Virginia
- West Virginia
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Western District of Virginia

Distinctions

- Named to *Virginia Business* magazine’s Legal Elite in Environmental Law (2016).

application of narrative water quality standards.

Regulatory Experience

- Represent clients and client associations in federal and state rulemaking advocacy, with an emphasis on significant water law developments such as those pertaining to stormwater, water quality, cooling water intake structures, and wastewater discharges.
- Counsel for multiple state-wide trade associations including regulatory and legislative advising across all media.
- Drafted public comments regarding Virginia's triennial review of water quality standards.
- Drafted public comments regarding Virginia's expansion of water quality trading.
- Advised solid waste management client in expansion effort.
- Drafted extensive public comments on rulemakings under the Surface Mining Control and Reclamation Act (SMCRA).
- Advised local government on long-term water supply planning and permitting.
- Counseled clients on compliance with Endangered Species Act in connection with development projects.
- Advise clients in responding to government information requests and assist with self-disclosures under EPA's Audit Policy.

Other Experience

- Counsel national trade association on environmental, health, and safety enforcement trends.
- Counsel state trade associations in the manufacturing, mining, mitigation banking, paving, and water supplies industries.
- Assist with permitting and implementation of interstate natural gas pipeline under the Natural Gas Act.
- Provide environmental due diligence for transactional matters for real estate and electric utility industries.
- Represent clients in negotiation of Freedom of Information Act document requests with state and federal agencies.
- Drafted public comments regarding proposed changes to the Occupational Safety and Health Administration's hazardous energy regulations.

Publications and Speaking Engagements

- Presenter, Virginia Water Environment Association, 34th Annual Waste & Pretreatment Conference, March 6, 2018.
- Presenter, "Key Updates on Water Quality and Quantity Regulation in Virginia," Virginia Water Environment Association, 33rd Annual Waste & Pretreatment Conference, March 7, 2017.

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- Co-author, "[Water Quality Trading: Setting the Record Straight](#)," *Natural Resources & Environment*, Winter 2017.
 - Author, "The Case for Water Quality Trading," *National Water Quality Trading Alliance*, July 27, 2016.
 - Co-author, "Citizen 'Suit Yourself': New (and Very Real) Water Compliance Challenges for Coal Power Utilities," *Proceedings of the Thirty-Sixth Annual Energy & Mineral Law Institute*, 2016.
 - Co-author, "Why the New Local Stormwater Role Matters to MS4 Permittees," *Local Government Attorneys of Virginia Handbook*, 2014 LGA Fall Conference.

Professional and Community Involvement

- Richmond Performing Arts Alliance, Associate Board Member, 2017-Present
- Capital Region Land Conservancy, Associate Board Member, 2017-present
- Friends of the James River Park, Board Member, 2011-2017
- Virginia State Bar Environmental Section Board of Governors, 2015-2016
- National Association of Clean Water Administrators
- Richmond Bar Association, Environmental & Energy Law Section – Executive Committee Member
- Virginia Bar Association
- Virginia State Bar
- Virginia Water Environment Association
- Water Environment Federation
- West Virginia State Bar