# Chris E. Bergin

Associate

Richmond

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Chris helps clients turn complex environmental risk into clear, actionable business decisions.

## OVERVIEW

Chris counsels clients on how to navigate environmental risk without losing sight of their business goals. He helps clients identify, understand, and quantify environmental risks in connection with corporate and real estate transactions and ongoing operations, working with them to develop practical, business-focused solutions to environmental challenges.

Chris regularly leads environmental due diligence for environmentally challenging properties and portfolios across the United States. He helps identify and resolve environmental issues associated with the purchase, sale, ownership, development, and operation of industrial and commercial properties, including legacy contamination, operational compliance, and constraints on future site use. He has significant experience working with state voluntary cleanup and brownfields programs nationwide to help clients manage and allocate environmental liabilities and move projects forward.

In addition to his transactional work, Chris guides clients through ongoing compliance and regulatory matters, including spill and release reporting, hazardous waste management, underground storage tank (UST) issues, and permitting. He frequently works with state regulatory agencies across the country to bring environmental issues to regulatory closure, including matters involving wetlands and endangered species considerations.

Chris also advises clients in negotiating a wide range of environmental and risk-allocation provisions in real estate and corporate transaction documents. Clients value his ability to translate complex technical and regulatory requirements into clear, actionable advice that aligns environmental risk management with their ultimate business objectives.

Before joining the firm, Chris served as an assistant attorney general in the Environmental Section of the Office of the Attorney General of Virginia, where he represented multiple commonwealth environmental and natural resources agencies — experience that provides him with a practical understanding of how regulators approach permitting, enforcement, and regulatory decision-making.

## REPRESENTATIVE MATTERS

- Representing a large real estate-based private equity firm focused on industrial outdoor storage, supporting a

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$1.4 billion portfolio encompassing properties across the U.S. Representation included advising on environmental diligence and risk allocation; entering properties in voluntary cleanup programs and Brownfields programs; advising on pollution legal liability insurance policies; and routinely negotiating various contractual provisions in purchase agreements, leases, escrow agreements, pre-purchaser agreements, and other related documents.

- Representing a global chemical and ingredient supplier on a pair of complex, multistate sale-leaseback transactions totaling approximately $465 million dollars.
- Advising a major U.S. electric utility on creating and implementing a compliance strategy to comply with U.S. EPA's CCR regulatory program across multiple power-generating facilities.
- Assisting a major railroad respond to a U.S. EPA unilateral administrative order relating to a large train derailment.
- Representing a national restaurant chain on multiple commercial real estate transactions, which included entering properties in state Brownfields programs and voluntary cleanup programs and overseeing environmental remediation.
- Advised clients in transactional and regulatory compliance matters in New Jersey, Florida, Washington, Massachusetts; Texas, Arizona, North Carolina, South Carolina, Massachusetts, Georgia, and other states.
- Represented a client in a criminal environmental enforcement action prosecuting a distillery operator for releases to the Shenandoah River, resulting in a $700,000 penalty.

## AWARDS

- *Best Lawyers in America®, Ones to Watch*: Environmental Law (2026)
- *Super Lawyers:* "Rising Star" (2019)

## TOP AREAS OF FOCUS

- Contaminated Sites + Waste Management
- Environmental + Natural Resources
- Environmental Due Diligence
- Environmental Litigation + Enforcement Defense
- Release Reporting

## ALL AREAS OF FOCUS

- Contaminated Sites + Waste Management
- Environmental + Natural Resources
- Environmental Due Diligence
- Environmental Justice
- Environmental Litigation + Enforcement Defense
- Litigation + Trial
- Release Reporting

## PROFESSIONAL EXPERIENCE

- Assistant attorney general, Office of the Virginia Attorney General, Environmental Section 2019-2022
- Graduate teaching fellow for legal rhetoric, American University, Washington College of Law, 2014-2015

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- American University, J.D., *magna cum laude*, 2014, Order of the Coif; note and comment editor, *American University Law Review*
- College of William & Mary, B.S., 2011

### BAR ADMISSIONS

- Virginia

### COURT ADMISSIONS

- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Ninth Circuit

## SPEAKING ENGAGEMENTS

- Speaker, "Legal History and Legal Challenges to EPA's CCR Rule," ACAA 2024 Fall Membership Meeting, October 22-23, 2024.
- Speaker, "Systematically Attacking a Premises Liability Claim," KPM LAW Annual Seminar, October 12, 2017.

## PUBLICATIONS

- Co-author, "California Adopts Landmark GHG Emissions and Climate Risk Reporting Laws, Eclipsing Anticipated Federal Requirements," *Troutman Pepper*, October 13, 2023.
- Author, "Take Off Your Genes and Let the Doctor Have a Look: Why the *Mayo* and *Myriad* Decisions Have Invalidated Method Claims for Genetic Diagnostic Testing," *63 Am. U. L. Rev. 101* (2013).