



Kevin J. Garber
Shareholder

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Area of Emphasis

Kevin Garber is a shareholder in the Environmental and Energy and Natural Resources groups of Babst Calland, practicing out of the firm's Pittsburgh and State College offices. Mr. Garber concentrates much of his practice in the areas of natural resources law and water law. He represents mining and oil and gas companies in the conventional and unconventional industries on a broad range of environmental issues including permitting, water supply and treatment, and resource development. Mr. Garber has extensive environmental litigation experience representing clients before the Environmental Hearing Board in Pennsylvania and in trial and appellate courts. In administrative proceedings, he has represented clients challenging permits, contesting civil penalties and compliance orders, and defending against challenges brought by citizens' groups, among other matters. Mr. Garber regularly counsels oil and gas production, midstream, storage and transportation companies on federal, state and local environmental regulations affecting their operations, and handles environmental matters in involving natural resource transactions. He counsels mining clients on a wide range of environmental matters including water and air permits, bonds, and treatment trusts. Mr. Garber also regularly handles NPDES permitting matters and appeals; defends citizens' suits under the federal Clean Water Act and similar state laws; and represents landowners and others with respect to groundwater protection issues. He leads the firm's municipal environmental services practice relating to sewage facility planning and permitting, storm water management and similar development issues facing developers, municipalities and municipal authorities. He serves as special environmental counsel to many municipalities, authorities and developers in western Pennsylvania.

Mr. Garber's practice also covers the cleanup and redevelopment of industrial sites under federal and state hazardous waste and brownfields laws. In Pennsylvania, for example, he regularly counsels clients in the purchase, sale and cleanup of property using Act 2 to address environmental concerns. He also conducts and reviews environmental audits of various types of industrial, commercial, and mining properties for buyers, sellers, lenders and trustees, and negotiates environmental provisions of transactions, contracts and deeds.

In addition, Mr. Garber also practices intellectual property law. He is a registered patent attorney and prosecutes trademark applications before the U.S. Patent and Trademark Office.

Background

Mr. Garber graduated with Distinction from The Pennsylvania State University with a B.S. in Biology in 1978, took his M.S. in Oceanography and Limnology from the University of Wisconsin in 1981, his Ph.D. in Ecology from the University of Pittsburgh in 1983, and his law degree from the Duquesne University School of Law in 1987, where he was a member of the *Duquesne University Law Review*. Mr. Garber's graduate and doctoral work researched point and non-point source pollutant loadings to lakes and the development of remedial alternatives.

Memberships and Affiliations

Mr. Garber is admitted to practice in Pennsylvania and various federal courts and before the United States Patent and Trademark Office. He is a member of the Allegheny County, Pennsylvania, and American Bar Associations, and has served on the Council of the Pennsylvania Bar Association's Environmental, Mineral and Natural Resources Law Section. Mr. Garber is a past Chairman of the Environmental Section of the Allegheny County Bar Association.

Mr. Garber has been ranked among Pennsylvania's top environmental lawyers in Chambers USA's America's Leading Business Lawyers since 2004. He has been listed in *The Best Lawyers in America*® in the Environmental Law Section since 2005 and is also listed in the Water Law, Energy Law, Natural Resources Law and Litigation – Environmental sections. Mr. Garber was named the *Best Lawyers*® 2014, 2017 and 2020 Energy Law “Lawyer of the Year;” the 2015, 2018 and 2021 Environmental Law “Lawyer of the Year;” and the 2016, 2019 and 2024 Natural Resources Law “Lawyer of the Year” in Pittsburgh, Pa. He was selected to the 2005-2020 *Pennsylvania Super Lawyers* lists (Thomson Reuters) and was named to the 2023 Energy & Environment Power 100 by City & State Pennsylvania.

Mr. Garber is an adjunct professor of law at the Duquesne University School of Law where he teaches courses in environmental law and litigation and is an adjunct faculty member in the Bayer School of Natural and Environmental Sciences at Duquesne University. He serves on the Advisory Committee to the Duquesne University Center for Environmental Research and Education.

Mr. Garber also serves on the boards of directors of the Greater Pittsburgh Chamber of Commerce and the 3 Rivers Wet Weather Demonstration Program, an Allegheny County non-profit entity which is helping to coordinate a regional response to wet weather water quality issues in the County. He is a former board member and past chairman and president of the Board of Directors of the Allegheny Land Trust, and a former board member of the Local Government Academy and the Pennsylvania Environmental Council.

Publications/Presentations

Mr. Garber is a frequent lecturer on environmental law and published articles on environmental law and environmental science in various journals, newsletters and other publications. A recent listing includes the following:

Course Planner and Speaker, Pennsylvania Environmental Law Forum, Pennsylvania Bar Institute, Harrisburg, Pa., annually in April.

Presenter, “Environmental Justice Policy Update,” PIOGATech – Air Quality Compliance Technical Seminar, December 6, 2023.

Co-Author, “Shapiro Administration Appeals Commonwealth Court Invalidation of RGGI,” The PIOGA Press, December 2023.

Co-Author, “Court Holds Pennsylvania RGGI Rule Unconstitutional,” The PIOGA Press, November 2023.

Presenter, “The Latest Developments in Environmental Justice,” Pennsylvania Aggregates and Concrete Association's 41st Annual Meeting, Hershey, Pa., November 2023.

Co-Presenter, “Hydrogen and Carbon Capture and Storage, the Latest Updates,” Marcellus Shale Coalition's Shale Insight, Erie, Pa., September 2023.

Co-Author, “Pennsylvania Supreme Court Vacates the Commonwealth Court 2018 Decision That Had Invalidated ‘Public Resource’ Portions of Chapter 78a Regulations,” The PIOGA Press, June 2023.

Presenter, “Planners’ Roundtable,” Pennsylvania Bar Institute's 2023 Environmental Law Forum, March 15, 2023.

Co-Presenter, “The ‘What’ and ‘Why’ of Oversight & Liability,” Energy Horizons Cross-Sector Collaborative's Deep Dive Discussion on Legislative Priorities, December 5, 2022.

**View online profile for full list of Publications/Presentations.*