

As regulatory, legal and market pressures increase, midstream operators in the U.S. shale industry are challenged with maintaining growth and profitability amid myriad issues affecting transportation, storage and processing operations.

Our clients view us as a key provider of legal services to the industry.

- **A nationally-recognized team of environmental attorneys** advises clients on matters related to managing the overlap between “traditional” environmental statutes and regulatory obligations while staying current on ever-changing agency guidance, proposed changes and statutory obligations.
- **Land use attorneys** stay on top of local/municipal government matters and monitor ordinance developments for clients, and prepare them for local government challenges.
- **Litigators** experienced in handling a wide variety of landowner disputes, including challenges to leases, and access issues based on alleged violation of property rights or environmental issues.
- **Construction attorneys** experienced in pipeline development including matters related to construction plans, contracts, rights-of-way, and mechanics’ liens.
- **Transaction attorneys** knowledgeable in conducting due diligence while evaluating the business units or assets that are being acquired or sold, as well as assisting in negotiating and drafting transactional documents.
- **Employment and labor attorneys** experienced in providing counsel in all aspects of federal, state and local employment laws and regulations.



Representative midstream and pipeline work:

- Provided counsel for navigating the process and timetable for pipeline construction plans to cross multiple streams. In Pennsylvania, for example, it is necessary to receive state permits and federal permits from the U.S. Army Corps of Engineers, many of which can take more than a year to process.
- Conducted environmental assessments of a proposed pipeline to identify, manage and/or mitigate potential hurdles.
- Represented various pipeline companies in breach of contract and breach of warranty claims against pipeline construction contractors for repair costs incurred along pipeline routes.
- Litigated cases for various clients involving claims by landowners in proximity to compressor stations and other facilities arguing diminution of property values.
- Defended mechanics’ lien actions brought by subcontractors.
- Defended against trespass actions alleging improper use of property to transport water.
- Assisted several operators in obtaining local land use approvals for compressor stations, meter stations, pipelines and other midstream facilities.
- Successfully defended a high profile validity challenge for a midstream compressor station.
- Represented a major operator in winning an appeal from a building permit denial and Uniform Construction Code variance request.
- Pursued for a major pipeline operator right of way rights based on the terms of a proposed right-of-way agreement and the operator rights granted in a lease.
- Defended against rights-of-way issues, including property damage from related construction.

Our team of experienced energy attorneys can help you to...

- Manage the uncertainty inherent in local ordinances in the municipalities where your company is planning for new or upgraded assets.
- Understand available strategies when facing mechanics' liens on midstream development projects.
- Know how to better navigate the dynamic environmental regulations on new midstream/pipeline development projects.
- Defend against agency enforcement and alleged noncompliance with environmental laws and regulations.
- Stay current on the regulatory changes while advocating for the industry's interests.
- Integrate a multidisciplinary legal perspective on a variety of business transaction decisions related to raising capital or acquiring/divesting assets for midstream operations.
- Advance your legal strategies to avoid litigation or defend toxic tort or landowner challenges.
- Understand how best to comply with current and prospective regulations related to pipeline safety requirements.



We address a full range of legal issues facing midstream operators.

Babst Calland has one of the largest and most experienced energy and natural resources legal practices in the Appalachian Basin. With strong technical backgrounds, experience working with government agencies and numerous energy clients, our multidisciplinary team of attorneys helps midstream clients to manage environmental, regulatory and other legal matters associated with the infrastructure for transporting natural gas and liquids.

If you need assistance with midstream or pipeline land and title matters, please contact James Curry at jcurry@babstcalland.com or 202.853.3461 of the Pipeline and HazMat Safety practice group.

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