

Carlton Fields Miami Shareholder Neal McAiley was quoted in two Bloomberg BNA Environment

October 11, 2011

The article, “High Court Mulls Right Place for Water Rule Review,” discusses the efficiency of Clean Water Act cases and whether they should be heard by district or appellate courts. McAiley commented, “A favorable Supreme Court ruling for the government would work in favor of the Trump administration because it is generally easier to defend a rule in a federal appeals court.” The article, “Water Utilities Could Face More Liability, Permit Costs,” discusses how at least three federal appeals courts are weighing whether wastewater that travels via underground sources and ends up in federally protected waterways counts as a discharge requiring a Clean Water permit. McAiley shared, “Compliance is measured by monitoring the amount of pollutants that leave the end of a pipe, or a point source. Where do you monitor the discharge when it leaves the groundwater and enters the ocean? It creates a practical challenge for regulators.” Read [“High Court Mulls Right Place for Water Rule Review”](#) Read [“Water Utilities Could Face More Liability, Permit Costs”](#) (Subscription required for full access to articles.)

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