



J. Wayne Cropp

Of Counsel

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J. Wayne Cropp focuses his practice on environmental law, public policy, and economic development.

Mr. Cropp is highly regarded for his extensive knowledge and experience in legal matters related to air quality, climate change, Superfund and RCRA, and brownfield redevelopment. Additionally, he possesses significant political experience and relationships, providing unique insights into emerging environmental policies and advanced manufacturing initiatives, including clean energy projects, electric vehicles, and emerging contaminants.

Mr. Cropp has been responsible for obtaining air pollution control permits for several multibillion-dollar manufacturing projects, including Prevention of Significant Deterioration of Air Quality (PSD) and PSD Avoidance Permits. He regularly practices before the Tennessee Department of Environment and Conservation (TDEC) and other state environmental agencies.

Mr. Cropp is a recognized author and lecturer on Clean Air Act issues. During his government regulatory tenure as Executive Director of the Chattanooga-Hamilton County Air Pollution Control Bureau (1979 – 1990), he developed implementation strategies that brought worldwide recognition to Chattanooga's environmental initiatives. In this role, he received the Air Conservationist of the Year Award from the Tennessee Conservation League in 1986.

On the national level, Mr. Cropp served as president of the Association of Local Air Pollution Control Officials (ALAPCO), now known as the National Association of Clean Air Agencies (NACAA). During his tenure as chair of ALAPCO's Air Toxics Committee (1983 – 1990), he contributed to the development of the National Air Toxics Strategy, codified in the 1990 Clean Air Act.

Mr. Cropp is the former chairman of the Environment Committee for the Chattanooga Manufacturers Association, a position he held for 15 years. He has been a member of the Air and Waste Management Association for more than 40 years and is a member of the Air Quality Committee of the Section of Environmental, Energy, and Resources Committee of the American Bar Association. He also previously served as chair of the Environmental Law Section of the Tennessee Bar Association.

Representative Matters

- Served as lead environmental counsel for a government agency redeveloping the former Volunteer Army Ammunition Plant (VAAP) as an industrial park, which involved BRAC and RCRA issues.
- Advised a nationally recognized Tennessee affordable housing group on environmental remediation and the development of Brownfield Voluntary Agreements for multiple sites.
- Serving as environmental counsel for a nearly \$2 billion joint venture in the development and construction of a commercial EV battery cell manufacturing plant in the Southeast.
- Secured a Prevention of Significant Deterioration (PSD) air permit on behalf of one of the largest automotive manufacturers in relation to its \$800 million facility expansion.
- Provided the lead environmental guidance on the initial development of a multibillion-dollar Enterprise South automotive mega-site in Tennessee, which ultimately became the Volkswagen automotive facility in Chattanooga.

- Developed a comprehensive legal and community relations strategy for the management of radiological material in an environmental justice community, including preparing an application that was supported by a citizen-led Community Action Panel and approved by a government agency.
- Represented a major oil and gas company in its environmental response and remediation efforts related to a \$200 million Tennessee project.
- Assisted numerous manufacturers and developers in negotiating voluntary cleanup agreements to allow for efficient remediation of Superfund and RCRA sites.
- Represented a Fortune 500 company in environmental matters related to a \$50 million project in an environmental justice community.



Professional Honors & Activities

- AV[®] Preeminent[™] Peer Review Rated by Martindale-Hubbell (more than 25 years)
- Listed in *The Best Lawyers in America*[®] for Environmental Law (since 2018)
- Recipient – Corridor Champion Award, Tennessee Valley Corridor (2016)
- Recipient – Air Conservationist of the Year Award, Tennessee Conservation League (1986)
- Chattanooga-Hamilton County Air Pollution Control Bureau
 - Attorney (1978 – 1979); Executive Director (1979 – 1990)
- Association of Local Air Pollution Control Officials (ALAPCO)
 - President (1983 – 1984)
 - Chair, Air Toxics Committee (1983 – 1990)
- Chair – Chattanooga Manufacturers Association Environment Committee (1990 – 2005)
- Member – Air and Waste Management Association (1980 – 2025)
- Member – Association of Vapor Intrusion Professionals (2022 – 2025)
- Member – Tennessee Bar Association
 - Chair, Environmental Law Section of the (2004 – 2005)
- Member – American Bar Association, Section of Environment, Energy, and Resources, Air Quality subcommittee
- Member – East Tennessee Economic Council
- Steering Committee Member – Tennessee Environmental Network, Show of the South (2022 – 2025)
- Chair – Chattanooga Summit, Tennessee Valley Corridor (1996)
- President – Tennessee Junior Chamber of Commerce (1984 – 1985)
- Legal Counsel – U.S. Junior Chamber of Commerce (1985 – 1986)



Publications

- "Supreme Court Invokes Major Questions Doctrine to Curb EPA's Ability to Regulate Carbon Emissions" (July 2022)
- "EPA Plans New Air Toxics Strategy with a Focus on Environmental Justice" (July 2021)
- "President Biden Pushes Hard Reset Button on OSHA COVID-19 Initiatives" (February 2021)
- "EPA Issues New Air Guidance on Plantwide Applicability Limits" (October 2020)
- "New Toxic Release Inventory Requirements Apply for Many PFAS Chemicals – Prepare Now" (May 2020)
- "EPA and CDC Guidance on Cleaning and Disinfecting Public Spaces, Workplaces, Businesses and Schools" (May 5, 2020)
- "TDEC Develops New Model Brownfield Agreement, Further Regulatory Developments Planned" (January 2020)
- Featured – "Moments in Memory: How Chattanooga Cleaned Up its Act After Being Named the Dirtiest City in America," *Times Free Press* (March 2019)



Speaking Engagements

- "Regulatory Analysis and Green Building Trends," Association of Vapor Intrusion Professionals Conference, Nashville, Tennessee (October 2022)
- "Environmental Stewardship in the Biden Administration," Southern Section, Air and Waste Management Association Annual Meeting (September 2022)
- "Environmental Stewardship in the Biden Era," Chattanooga Regional Manufacturers Association (November 2021)
- "Environmental Phoenix: The Chattanooga Story," Tennessee Department of Environment and Conservation's Environmental Show of the South (May 2017)
- "Is the Past Prologue: Environmental Regulation in the New Trump Administration," 84th Annual American Foundry Society's (AFS) Southeastern Regional Conference, Pigeon Forge, Tennessee (March 2017)
- "Implications of EPA's 'Waters of the U.S.' Regulations," Tennessee Association of Manufacturers 2015 Environment, Health & Safety Summit (November 2015)
- "Recent Developments in Environmental Issues Related to Real Estate Transactions: Environmental Due Diligence and Vapor Intrusion," Chattanooga Bar Association (October 2015)
- "From Gritty City to Green – Manufacturing Hub," Society of Environmental Journalists 23rd Annual Conference, Chattanooga, Tennessee (October 2013)
- "Chattanooga: The Gig City – How Chattanooga Became the First City in the Western Hemisphere to Use 1 Gigabit-per-Second Fiber Internet Service to Grow its Economy," University Economic Development Association Summit (October 2012)
- Keynote Speaker – U.S. Department of Energy Asset Revitalization Workshop (June 2012)
- Moderator – "Creating a National Model for Energy Innovation and Independence," Tennessee Valley Corridor Summit (May 2011)



Education

- Cumberland School of Law, Samford University, J.D., 1977
- Bryan College, B.S., 1974



Admissions

- Tennessee, 1978
- U.S. District Court for the Eastern District of Tennessee, 1980