

Emily E. Kimball

Partner
Denver

Biography

Emily Kimball counsels and advocates for clients on environmental matters, with a focus on the transportation industry. Emily's experience on environmental issues includes regulatory compliance counseling, enforcement defense, and advocacy before courts and federal agencies. She regularly advises clients on complex environmental matters arising under the Clean Air Act (CAA), both in the mobile source and stationary source context. She also has experience responding to Environmental Protection Agency (EPA) enforcement actions and with environmental self-audits and internal compliance reviews as well as voluntary self-disclosures under state and EPA audit policies and programs.

Emily has worked extensively with railroads, rail car manufacturers and lessors, freight and tank car service companies, component suppliers, and other major players in the rail industry, on regulatory compliance matters, including those related to the transportation of crude oil and other hazardous materials. Emily also counsels and helps lead the Commercial Drone Alliance, an independent non-profit organization focused on moving the commercial drone industry forward. Emily represents corporations and trade associations before administrative agencies and quasi-regulatory bodies, including the EPA; the U.S. Department of Transportation (DOT) and its agencies, the Federal Railroad Administration, the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Federal Aviation Administration; and the



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Languages

Spanish

Practices

Administrative and Public Law
Environment and Natural Resources
Transportation
Uncrewed Aircraft Systems

Industries

Automotive and Mobility
Manufacturing and Industrials
Energy and Natural Resources
Transportation and Logistics

Association of American Railroads. Emily is a member of the leadership team for the firm's Transport and Logistics sector focused on emerging transportation technologies and mobility services.

Prior to joining Hogan Lovells, Emily served as a judicial clerk to the Honorable Wiley Y. Daniel, former Chief of the U.S. District Court for the District of Colorado and as a judicial intern for the Honorable Nancy E. Rice, Chief Justice of the Colorado Supreme Court.

Representative experience

Assisting a leading European engine manufacturer in carrying out a global internal review of its corporate governance and emissions certification processes in the U.S., Europe, and Japan.

U.S. v. Hyundai, et al. investigation of alleged CAA violations, one of the largest EPA CAA enforcement cases to date.

Assisting a multinational transportation corporation in the defense of a threatened enforcement action by the EPA, related to alleged issues arising under the Clean Air Act's locomotive engine rules.

Advising the Railway Supply Institute on strategic policy planning and regulatory reform regarding the transportation of hazardous materials by rail.

Assisting the States of North Dakota and Montana in obtaining a PHMSA determination that a state law regarding the volatility of crude oil transported by rail was pre-empted by federal HazMat law.

Assisting railcar manufacturers and lessors as well as rail component suppliers in compliance and enforcement matters related to FRA requirements and Association of American interchange standards.

Assisting a telecommunications company in implementing a national environmental compliance and electronic waste management program and crafting training materials and standard operating procedures.

Advising a diversified healthcare corporation on the

Areas of focus

Auditing, Internal Reviews, Reporting, Self-Disclosure

Clean Air

Rulemaking and Legislative Advocacy

Transportation Safety

Education and admissions

Education

J.D., Northwestern University School of Law, cum laude, 2011

B.A., Duke University, cum laude, Order of Omega Honors Society, 2006

Bar admissions and qualifications

Colorado

District of Columbia

Accolades

"Emily has very strong relationships and deep legal knowledge."

Chambers USA

reorganization of its corporate governance structure to enhance its environmental management and compliance program.

Awards and rankings

- Top Women Lawyer, *Law Week Colorado*, 2023
- Transportation: Rail (For Railroads) (Nationwide), *Chambers USA*, 2020-2023
- Transport: Rail and road - Litigation and regulation, Next Generation, *Legal 500 US*, 2023

Latest thinking and events

- News
 - TSA revises rail cybersecurity directives for passenger and freight railroads
- Press releases
 - Hogan Lovells and Commercial Drone Alliance host Advanced Aviation Innovation Summit alongside government & industry leaders
- Press releases
 - Hogan Lovells welcomes the New Year with 38 new partner and 77 new counsel promotions
- News
 - Rail industry receives new cybersecurity performance-based security requirements from TSA
- Press releases
 - Hogan Lovells assists Matternet in obtaining breakthrough FAA drone certification
- Awards & rankings
 - Hogan Lovells hosts Post-White House Advanced Air Mobility (AAM) Summit reception