



## Richard H. Allan

Partner

he/him/his

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With over 25 years of experience, Richard Allan excels at shepherding complex deals to conclusion across a broad range of industries, from energy facility siting to the transactional and regulatory aspects of redeveloping contaminated property.

Richard has represented developers on the environmental, land use and natural resource issues arising in all phases of project development, including site selection and acquisition, permitting, construction and operation. His experience includes over 2,000 megawatts of wind, solar and natural gas-fired generating facilities, as well as transmission lines and pipelines. His experience in adversarial proceedings ranges from numerous local land use hearings and appeals to administrative contested cases before state agencies concerning energy facilities, wetlands, water rights and environmental enforcement, to trial court and appellate proceedings in state and federal courts.

Richard helps property owners and developers to define, understand and limit environmental liability in real estate transactions and redevelopment. He has decades of experience using a wide range of tools to address the concerns of buyers, sellers, lenders and regulators on sites as small as former gas stations and dry cleaners and as large as railyards, lumber mills, and manufacturing plants.

### SERVICES & INDUSTRIES

[Energy](#)

[Renewable Energy](#)

[Oil, Gas, & Biofuel](#)

### EDUCATION

- J.D., University of California, Berkeley (1988), Order of the Coif (Editor-in-Chief, Ecology Law Quarterly)
- B.A., with Highest Honors, Phi Beta Kappa, University of California, Berkeley (1982)
- Law clerk to the Honorable Malcolm M. Lucas, Chief Justice, California Supreme Court (1988-89)

### BAR ADMISSIONS

- State Bars of Oregon and Washington
- U.S. District Court for Oregon
- U.S. Court of Appeals for the Ninth Circuit

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## Representative Matters

- Represented purchasers of contaminated sites in the negotiation of over twenty Prospective Purchaser Agreements with the Oregon Department of Environmental Quality, limiting the liability of the purchasers for existing releases of hazardous substances.
- Counsel to investor-owned electric utility for over twenty years in the permitting of multiple generating facilities, including natural gas-fired generation, wind, and solar.
- Counsel to independent power producer in siting of multiple commercial-scale solar photovoltaic facilities.
- Counsel to publicly traded renewable energy company in repowering and financing of one of the nation's largest wind farms.
- Represented metals and electronics recyclers and residential developers in negotiating resolution of civil environmental enforcement cases.

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## Recognition and Activities

- Member, Oregon Bar Association Sections on Environment and Natural Resources, and Real Estate and Land Use
- Member, Washington State Bar Association Environmental and Land Use Law Section
- Martindale Hubbell AV Preeminent Rated
- Chambers USA Environment - Oregon, Band 3
- Super Lawyer in Energy and Natural Resources Law
- Best Lawyers in Energy Law
- Best Lawyers 2021 "Lawyer of the Year" - Energy Law, Portland OR
- Lawdragon 500 Leading Environmental & Energy Lawyers
- Member and Chair, City of Portland Adjustment Committee (1998-2006)

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## Publications and Presentations

- Co-chair, "Electric Power in the West," Law Seminars International (April 14-15, 2022)
- Speaker, "Prospective Purchaser Agreements," Model Toxics Control Act, Law Seminars International, Seattle, WA (October 10, 2019)
- Speaker, "Business Considerations for Stand-Alone Versus Co-Located Energy Storage," Energy Storage, Law Seminars International, Seattle, WA (June 14, 2019)
- Speaker, "Permitting, Environmental and Land Use Issues," Energy Storage, Law Seminars International, Seattle, WA (June 12, 2018)
- Speaker, "Oregon Climate Change Laws," Climate Change in the Pacific Northwest, Law Seminars International, Seattle, WA (June 7, 2018)
- Speaker, "Twenty Years of Prospective Purchaser Agreements," OSB Real Estate and Land Use Section (August 2016)
- Co-chair, "Oregon's Clean Electricity and Coal Transition Plan," Law Seminars International, Portland, OR (July 28-29, 2016)
- Author, "Submerged and Submersible Lands," Oregon State Bar Real Estate Deskbook (2015)
- Panelist, "Energy Export and Transportation," Environmental Law: Year in Review, OSB Environmental & Natural Resources Section (October 2014)
- Co-chair, "Energy Exports in the Northwest," Law Seminars International (October 24-25, 2013)
- Panelist, "Natural Gas for Transportation and LNG Markets," Law Seminars International (July 19, 2013)
- Author, "Goal 6 (Air, Water and Land Resources Quality)" and "Goal 7 (Areas Subject to Natural Hazards)," Oregon State Bar Land Use Deskbook (2010)
- Speaker, "Wind Projects -- Their Feasibility and Rewards," Oregon State Bar Government Law Section, Municipal Sustainability Projects CLE (October 2008)