

Kyle E. Foote

PARTNER

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Kyle blends state and federal environmental experience and familiarity with regulatory compliance strategies and governmental programs and enforcement efforts to advise on facility operations and business and real estate ventures in the complex arena of environmental law.

An environmental lawyer, Kyle advises clients on the federal and state laws regulating air, water, hazardous substances and wastes, and natural resources. He represents companies large and small before the Environmental Protection Agency (EPA) and state environmental agencies to advise on regulatory compliance and move business forward. He represents clients in diverse sectors, including manufacturing, energy and electric utility, real estate (acquisition and development), mining, propane and petroleum storage and distribution, telecommunications, finance and banking.

Kyle advises clients on PFAS risks and mitigation strategies, ranging from scoping due diligence and invasive investigations to include PFAS analysis, to other proactive and confidential strategies to evaluate a client's potential for exposure and actions to minimize liability.

Kyle develops creative solutions to environmental issues arising in business and real estate transactions. He performs critical environmental due diligence, obtains construction and operating

PRACTICES & INDUSTRIES

- Environmental & Natural Resources
- Corporate Finance
- Environmental Counseling
- Real Estate & Public Finance
- Telecommunications
- Utilities

ADMISSIONS

Missouri, 1990

EDUCATION

Vermont Law School, Master of Studies in Law, Environmental Law & Policy, 1991

University of Missouri-Kansas City, J.D., 1990

Westminster College, B.A., 1987

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permits for facilities, and advises clients on liability exposure and risk mitigation strategies. Kyle represents clients during on-site inspections and investigations by the EPA and state environmental agencies, and coordinates audits, investigations and responses under environmental laws. He works with environmental consultants to oversee investigation and remediation of contaminated properties, and with state voluntary cleanup and tank insurance fund programs.

Formerly an environmental attorney for an international engineering company, Kyle managed environmental permitting and compliance for domestic and international electric generation facilities and other industrial projects. He offers environmental regulatory experience in more than 35 states, and has experience working with EPA, Corps of Engineers, US Fish & Wildlife Service, and state environmental and natural resources agencies.

EXPERIENCE

Advises clients in connection with the development of and/or investment in wind, solar and battery storage renewable energy projects with a specific focus on environmental compliance and permitting, including threatened and endangered species/habitat, jurisdictional wetlands and waters, stormwater, cultural resources, flicker/glare and noise, and general environmental due diligence

Advises clients in connection with legacy hazardous waste sites, negotiates with EPA and state environmental agencies, and oversees compliance with voluntary cleanup programs

Advises clients on acquisitions of contaminated properties for commercial and retail development in 25 states

Negotiated an Administrative Order on Consent and a comprehensive multi-media consent decree for a manufacturing company at multiple facilities involving air, water, hazardous waste and transportation-related environmental issues

Advised a manufacturing company on environmental compliance strategies and implementation actions for a consent decree covering air, water, hazardous waste and transportation-related issues

Advises businesses and financial institutions concerning the acquisition (and sale) and operation of contaminated properties, statutory protections, foreclosure issues and risk management strategies

Advises a REIT on environmental matters which include "all appropriate inquiries" and comprehensive due diligence prior to acquiring interests in properties, risk management strategies and negotiating favorable environmental provisions in acquisition and investment agreements

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Negotiated a Consent Agreement and Final Order with the EPA, and related Supplemental Environmental Projects, to settle a RCRA/EPCRA Notice of Violation at an industrial facility

Coordinated clients' responses to EPA's Clean Air Act Section 114(a) requests for information

RECOGNITIONS

Missouri Lawyers Weekly Environmental and Energy Law "POWER LIST," 2023

Missouri Lawyers Weekly Environmental and Energy Law "POWER LIST," 2022

PROFESSIONAL & CIVIC ACTIVITIES

Kansas City Industrial Council, Board of Directors and Chair of Infrastructure Committee

Bridging The Gap, Board of Directors

Pembroke Hill School Environmental Committee

American Bar Association

- Section of Natural Resources, Energy and Environmental Law
- Section of State and Local Government Law

The Missouri Bar, Environmental & Energy Committee

Kansas City Chamber of Commerce Environmental Committee

NEWS

Missouri Lawyers Media Recognizes Stinson Environmental Law Attorneys as Best in State
11.13.2023

Three Stinson Attorneys Named to Environmental and Energy Law "POWER LIST"
11.30.2022

SPEAKING ENGAGEMENTS

Midwest Environmental Compliance Conference, The Changing Landscape of PFAS in Due Diligence,
October 27, 2023

2023 Stinson Business Law Update – Environmental Law Update: Assessing and Mitigating Environmental Risk in Transactions, March 2, 2023

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2018 Stinson Business Law Update – Environmental Law Update, March 1, 2018

Midwest Environmental Compliance Conference, General Duty Clause: The Provision that Swallowed the Rule, May 2017

PUBLICATIONS

EPA Finalizes Groundbreaking Rule to Regulate Two PFAS under CERCLA

04.19.2024

Now is the Time to Evaluate PFAS Liability

10.21.2021

Clean Water Requirements Escalate for PFAS, Nutrients and other Pollutants

09.10.2021

Supreme Court Revives Use of NWP 12 but Uncertainty Remains

07.08.2020

Working with Environmental Agencies When Managing Business Impacts from COVID-19

04.29.2020

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