



Andrew C. (Drew) Brought

Partner

Contact

Kansas City

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Overview

Andrew Brought counsels manufacturers, industrial clients, and businesses with complex environmental (EPA) and workplace safety (OSHA) challenges. A dependable and responsive advocate, he offers pragmatic and business-focused solutions to help his clients achieve their goals.

Andrew has extensive experience helping companies with workplace safety incidents and industrial accidents that involve the intersection of health, safety, and environmental regulations and government agencies including OSHA, the EPA, the U.S. Chemical Safety and Hazard Board, and the Justice Department.

From complex workplace fatalities and injuries to more routine compliance inspections, Andrew is frequently called upon by a variety of industrial sectors to assist in handling crisis management situations, strategic response, and incident investigations. He has a particular focus on chemical accident prevention programs, including the EPA's Risk Management Plan (RMP) program and OSHA's Process Safety Management (PSM) program and cases involving chemical releases, fires, explosions, and other catastrophic events at industrial facilities.

In connection with his white-collar criminal and civil practice, Andrew helps his clients manage and reduce liability through his substantial experience in enforcement matters associated with the Clean Air Act, the Clean Water Act, RCRA, EPCRA, OSHA, and related environmental laws. He also assists his clients by conducting compliance audits and internal investigations as appropriate. And in those situations where adversarial disputes become unavoidable, he helps his clients litigate and resolve such matters.

Andrew has significant experience with contaminated site redevelopment and the cleanup and reuse of legacy / Brownfield sites, allowing these properties to be put back to productive use. His work on Superfund, CERCLA, and related RCRA corrective action sites includes national representation of a telecommunications company with a portfolio of sites throughout the U.S. He works with property owners, developers, and financial institutions in achieving their transactional goals, through voluntary cleanup programs, the use of institutional controls and related risk-based cleanups, or by managing risk through other mechanisms such as contractual obligations and insurance.

He also helps businesses obtain and comply with operating permits and complex EHS regulations in a variety of industries and sectors including aircraft, chemicals, construction, renewable energy, healthcare, manufacturing, mining, refining and pipelines, retail and shopping centers, and waste management.

Andrew has served in a variety of leadership positions at Spencer Fane, including as a member of the firm's Executive Committee for multiple terms and as a former co-chair of the firm's Environment and Energy practice group.

Education

- University of Maryland School of Law, 2002 (J.D.)
- Virginia Tech, 1997 (B.S.), *magna cum laude*

Bar Admissions

- Missouri, 2007
- Texas, 2004
- Maryland, 2002

Court Admissions

- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri
- U.S. District Court for the Southern District of Texas

Community Involvement

- The Salvation Army, Kansas & Western Missouri, Advisory Board Member, 2018-present
- Highlawn Montessori School, Board of Directors, 2013-2016
- St. John's United Methodist Church, various leadership positions, 2009-2017

Distinctions

- *Chambers USA*, Environment, 2020-2023
- *Business Today*, Top 10 Most Influential Environment Lawyers in Kansas City 2023
- *Missouri & Kansas Super Lawyers*, Rising Star, 2013-2014, 2014-2015
- *Best Lawyers in America*, 2020-2025
 - Environmental Law
 - Litigation – Environmental

Memberships

- American Bar Association
 - SEER Environmental Enforcement and Crimes Committee, Vice Chair, 2012-2015
- Kansas City Metropolitan Bar Association
 - Environment and Energy Law Section, Chair, 2018
- Air and Waste Management Association, Midwest Chapter, Board of Directors, 2012-2016

Related Experience

- Successful resolution of RCRA air emission compliance matter with chemical manufacturing plant through voluntary disclosure through EPA's audit policy.
- Defense of paint manufacturing company in Clean Air Act permitting dispute located in an environmental justice area.
- Successful defense of food manufacturing company involving OSHA investigation following a large explosion and fire in industrial dryer.
- Individual counsel for maintenance supervisor in a DOJ and EPA criminal investigation for chemical plant release and fire involving CSB investigation and declination of the matter.
- Successful defense of multi-year RCRA compliance investigation at LQG facility resulting in no enforcement referral.
- Successful defense of specialty chemical manufacturer in workplace fatality involving robotic palletizer with no OSHA enforcement action.
- Successful defense of OSHA enforcement case against mechanical, electrical, and plumbing contractor in workplace fatality.
- Successful defense of OSHA enforcement case against bridge construction company involving workplace fatality.
- Represent lead-acid battery secondary lead smelter and battery manufacturing plants, including air, water, and waste permitting and compliance and enforcement matters.
- Represented chemical manufacturing plant in the recycling of a corrosive chemical byproduct through the beneficial reuse of the material, thus, minimizing the generation of hazardous waste from the facility.
- National counsel for telecommunications manufacturing company and associated research and engineering laboratories for CERCLA and RCRA matters.
- CERCLA cost recovery and contribution litigation in multiple jurisdictions, including New Jersey, Texas, Arizona, Missouri, Georgia, Kansas, and New York, on behalf of parties pursuing and defending actions for cleanup response costs and natural resource damages (NRD).
- State superfund experience and related voluntary cleanup programs in Missouri, Kansas, and Texas, among other states.
- Risk-based cleanups with environmental covenants and activity and use limitations.
- Represented large beer manufacturer and brewer in sale of business.
- Assist chemical manufacturer in acquisition of real estate.
- Phase I and Phase II ESA reviews for numerous transactions.
- Counsel for financial institutions in lending matters involving contaminated sites.
- Represented securities issuer in matters involving pipeline, NGL, and natural gas asset.
- Counsel for lubricant manufacturing company in sale of business.
- Represented distilled spirit manufacturer in PSD enforcement and Title V permitting.
- MACT and NESHAP applicability determination counseling.
- Represented secondary lead smelter in air enforcement matter.
- Counsel for distilled spirit, industrial alcohol, and food ingredient manufacturer in chemical release involving the CSB, EPA, OSHA, and other state agencies.
- PSM audit counsel and health and safety compliance review at five large oil refineries for an Independent Safety Review Panel at the behest of the U.S. Chemical Safety Board.
- Counsel for chemical plant in RMP enforcement and CERCLA release reporting matters.
- Defense of aerosol can manufacturing facility in RMP enforcement case.
- Defense for food product manufacturer with anhydrous ammonia systems subject to PSM and RMP.
- Successful defense of sand-blasting company in RCRA disposal case.
- Successful defense of EHS Manager of metal / chrome plating operations in Clean Water Act case.
- Counsel for multinational consumer goods and home and health care products company in RCRA disposal matter.

- Counsel for construction material company in Grand Jury subpoena involving RCRA illegal transport case.
- Defense of health insurance provider in health care fraud qui tam dispute.
- Defense of corporate officer and director in executive malfeasance and securities matter.
- Internal investigation for photographic imaging company with alleged water violations.
- Counsel for chemical manufacturer in state's acceptance of material's co-product status as opposed to a sludge.
- Represent lead-acid battery recycling facility in variety of RCRA matters.
- Counsel for chemical plant in regulatory approval of reclaimed material for beneficial reuse as a wastewater conditioner versus designation as a spent characteristic hazardous waste.
- RCRA hazardous waste enforcement cases involving numerous client sectors, including manufacturing and chemicals.
- Citation contest defense in numerous jurisdictions throughout the nation on behalf of numerous industrial sectors including: aircraft manufacturing, construction, electrical contractors, food manufacturing, metal products, and the restaurant industry.
- Defense of geotechnical contractor in workplace electrocution.
- Successful defense of OSHA enforcement case against mechanical, electrical, and plumbing contractor in workplace fatality.
- Represented manufacturing facility in NPDES permit appeal regarding mixing zone allowance.
- Stormwater enforcement defense for multiple industrial operations including construction company, landfill, and composting facility.
- Defense of metal recycling facility in permit appeal of NPDES permit terms and conditions.

Clerk Experience

- Hon. J. Frederick Sharer, Maryland Court of Special Appeals, 2002-2003