Holland & Hart



PRACTICES

Climate Change
Environmental
Environmental Litigation
Site Remediation
Environmental Health and Safety
Environmental Transactions

INDUSTRIES

Conventional Power
Mining
Oil and Gas
Oil and Gas Litigation
Oil and Gas Regulatory
Renewable Energy and Storage

EDUCATION

University of Washington, J.D., 2007
Washington Law Review
Berman Environmental Law Clinic

Colorado State University, B.A., 2002
magna cum laude

BAR ADMISSIONS

Wyoming
Utah
Washington

Ashley Peck

Partner

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Ashley represents clients ranging from Fortune 100 energy and mining companies to municipalities and special service districts in complex environmental, natural resources and land use disputes and permitting matters.

Environmental and Natural Resource Litigation: Ashley litigates environmental disputes concerning claims under the Clean Water Act, Oil Pollution Act, Clean Air Act, Comprehensive Environmental Response Compensation and Liability Act and other environmental statutes. She has substantial experience resolving environmental citizen suits, appealing or defending agency decisions before administrative tribunals, and in complex federal and state court litigation concerning common law claims. She handles all phases of litigation, including complex fact and expert discovery, motion practice and bench and jury trials.

Water Resources Compliance and Policy: Ashley has significant experience helping clients navigate complex water quality and wetland permitting processes, defending Clean Water Act citizen suits, and resolving enforcement actions brought under the Clean Water Act and related state statutes. She also works with municipal and industrial clients on water resources policy issues, including regulation and protection of water resources like Utah Lake and the Great Salt Lake. This includes drafting legislation, seeking legislative appropriations and working with state and federal agencies to advance or advocate for changes to policy initiatives.

Waste, Spill and Contamination Matters: Ashley also represents clients in hazardous, non-hazardous and low-level radioactive waste matters, including representing waste disposal companies, utilities and other industrial clients on permitting, compliance and enforcement issues and in defending and appealing agency decisions. She also has substantial experience with oil spill response, related enforcement and litigation issues, and assisting clients with cleanup of legacy contaminated sites.

CLIENT RESULTS

Environmental and Natural Resources Litigation

- Defend environmental group challenges to water quality certifications, section 404 and NPDES permits under the Clean Water Act for natural resource projects across various states.
- Represent multiple clients, including railroads, municipalities and manufacturers in Clean Water Act citizen suits regarding

stormwater and wastewater discharges.

- Represent oil pipeline company in action to recover costs associated with environmental cleanup and restoration following oil spill.
- Defend natural gas company in state court case concerning common law claims alleging contamination to water resources.
- Represent major municipality and oil companies in breach of contract and negligence action against remediation contractors concerning environmental cleanup.

Water Resources Compliance and Policy

- Represent mineral extraction company in landmark agreement with State of Utah to donate significant water rights and leasehold interests on Great Salt Lake for conservation purposes.
- Represent coalition of sewer districts in advocacy efforts before Utah Department of Environmental Quality and Utah State Legislature.
- Represent municipalities in preparing and responding to agency audits of stormwater and pretreatment programs, amending ordinances and pursuing enforcement actions against violators.
- Represent manufacturer in resolving multiple Clean Water Act enforcement matters in various regions and implementing company-wide environmental audit and compliance program.
- Represent mining and chemical manufacturing company in resolving legacy water quality and water management compliance issues.
- Represent wide range of developers, including ski resorts and major retailers, in wetland permitting issues, including appeals of jurisdictional determinations.
- Represent manufacturers in Clean Water Act criminal investigations.

Waste, Spill and Contamination Matters

- Represent midstream oil company in spill response, remediation and resolution of enforcement actions with federal and state resource agencies.
- Represent fuel supply and refining company in responding to oil spill, including in state and federal enforcement actions and coordination of public response plan.
- Represent hazardous waste disposal and used oil recyclers in permitting and regulatory compliance matters.
- Represent radioactive waste disposal facility in licensing matters and administrative appeals before state environmental agency regarding financial assurance and monitoring issues.
- Represent various mining clients in large-scale cleanup of legacy contamination, including natural resource damages and cost recovery claims, and in managing legacy liability and compliance.

- Represent power plants in implementation of coal combustion residuals rule requirements.
- Represent railroad in negotiations and litigation with state agencies, potentially responsible parties, and local residents and landowners on cleanup of multiple contaminated sites in Washington and Montana.
- Represent developers and property owners on cleanup and cost-recovery actions related to perchloroethylene (PCE) contamination from former dry cleaners and hexavalent chromium contamination from former industrial facilities.

Complex Facility Permitting and Land Use

- Represent international mining company in development and permitting of first major gold mine in State of Utah, including obtaining state water quality and mining permits and local land use approvals.
- Develop permitting strategy and regulatory advice for novel carbon sequestration projects associated with oil and gas facilities.
- Represent project developers in defending land use appeals under shoreline protection and critical areas statutes and ordinances.
- Represent major municipal utility in relicensing hydropower dam before FERC, involving Federal Power Act, NEPA, CWA 401 certification and TMDL, ESA, and water rights matters.

PUBLICATIONS

"New WOTUS Proposal Would Further Shrink Federal Jurisdiction Over Streams and Wetlands," *Water Law Update*, September 15, 2026

"Receding Waters: How the New WOTUS Definition Reduces Clean Water Act Jurisdiction," *Environmental Law Update*, November 20, 2025

"EPA Approves Montana's Revised Approach to Nutrient Water Quality Standards: Return to Narrative Criteria," *Water Quality Update*, October 7, 2025

"Key Takeaways from the EPA and the Corps' New WOTUS Guidance Memo," *Environmental Update*, March 17, 2025

"Supreme Court Invalidates "End-Result" Provisions in Clean Water Act Discharge Permits," *Environmental Update*, March 10, 2025

"Groundbreaking Lawsuit Challenges Utah's Management of Great Salt Lake," *Holland & Hart Legal Update*, September 7, 2023

"New WOTUS Rule Significantly Narrows Federal Jurisdiction under Clean Water Act," *Holland & Hart Legal Update*, September 1, 2023

"US Supreme Court Upends Wetlands Regulatory Regime ," *Holland & Hart Client Alert*, May 26, 2023

"Back to the Future: The Biden Administration Releases Final WOTUS

Rule," *Holland & Hart Client Alert*, January 5, 2023

"Podcast: SCOTUS Takes on WOTUS as Oil, Gas Industry Clamors for Regulatory Clarity," *S&P Global Commodity Insights Capitol Crude: The US Energy Policy Podcast*, October 24, 2022

"More Uncertainty Ahead – WOTUS, SCOTUS and What it Means for Your Project," *Holland & Hart News Update*, February 4, 2022

"Update on PFAS Developments and Enforcement," *Holland & Hart News Update*, 06/11/2020

SPEAKING ENGAGEMENTS

"CWA UPDATE – Sackett Implementation and "Worst case" Spill Rule," *Essential Minerals Association Annual Conference*, May 8, 2024

"Update on the 2023 Revised Definition of WOTUS," *SWCA Environmental Consultants*, February 8, 2023

RECOGNITION

- *The Best Lawyers in America*®, Environmental Law, 2021-2027; Litigation - Environmental, 2024-2027, Natural Resources Law, 2026-2027
- *Chambers USA*, Natural Resources & Environment, 2021-2026; Environment, Natural Resources & Regulatory Industries, 2017
- Legal 500 US City Elite - Salt Lake City, Energy and Natural Resources, 2026
- Utah Bar, Dorathy Merrill Brothers Award (for advancement of women in the legal profession), 2023
- *Utah Business Magazine*, Utah Legal Elite, 2014-2021; Environmental, 2022; Environmental & Natural Resources, 2026
- *Utah Business Magazine*, 30 Women to Watch, 2021
- Mountain States Super Lawyers®, Environmental, 2022-2026
- Mountain States Super Lawyers® Rising Stars, Environmental, 2014-2020
- Washington Super Lawyers® Rising Stars, Environmental, 2010

PROFESSIONAL AND CIVIC AFFILIATIONS

- Women Lawyers of Utah, President, 2019-2020, Board Member 2012-2021
- Wasatch Community Gardens, Board Member, 2018-2024, Board Chair 2022-2023
- ABA, Environment, Energy, and Resources Section, Member
- Utah State Bar, Energy, Natural Resources, and Environmental Law Sections, Member
- ABA, Superfund and Natural Resource Damages Litigation

Committee, Vice Chair, 2011-2014

- The Foundation for Natural Resources and Energy Law, Member