

Thomas A. Mackie

Counsel

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Thomas is one of the preeminent attorneys in the field of environmental law, having spent more than four decades representing clients facing complex environmental issues. His work has focused on permitting and siting of solid waste, recycling, and renewable energy facilities; cleaning up hazardous waste; acquiring brownfields properties; drafting and contracting for private and public environmental projects; recovering costs under CERCLA and M.G.L. c. 21E; pursuing insurance claims for environmental damages; and litigating permit appeals.

Tom helps clients to develop strategies that address regulator and public concerns over the siting or expansion of controversial facilities. Purchasers and developers of renewable energy facilities, such as solar, landfill gas, biomass, anaerobic digestion, and biofuel manufacturers, rely on Tom to advise on required permits and approvals. In addition to handling the state and local permitting required for these and other projects, he assists clients with renewable energy credits, contracting, financing, and public procurement issues.

For national clients, he has led the environmental due diligence in several major environmental industry corporate acquisitions and divestitures. Recently, Tom and colleague Gail Hire, spearheaded environmental due diligence for a client's acquisition of the tax equity interest in over \$100M of solar projects in Massachusetts. Together with Peter Durning and Peter Vetere, Tom assisted a national solid waste client in expansion of its operations through a series of acquisitions here in Massachusetts. Tom also assisted a major client in its evaluation of Superfund liabilities prior to its \$1.25 billion acquisition of a national hazardous waste and oil re-refining business. In another transaction, he led his previous firm's participation in environmental due diligence and permit transfers for more than 50 licensed hazardous waste facilities located in 31 states and Canada.

Many of Tom's clients are sophisticated national players in their respective industries. In those cases, Tom's role is to advise the client on the specifics of Massachusetts law and policy and the regulatory agencies with which those clients will interact. He also represents smaller local clients, unfamiliar with the lay

Services/Industries

- Environmental & Land Use
- Real Estate

of the land in environmental law. Tom begins his client engagements by understanding the client's legal and business needs. He helps clients understand both the broader dynamics and the more granular details of their situations. Together, Tom and his client will identify a range of options and solutions, timelines, potentialities, and realistic outcomes - including end dates, risks, and costs. After a course has been set, Tom tenaciously pursues his client's goals.

Tom serves on the Commonwealth's MassDEP Solid Waste Advisory Committee, and the Board of the Environmental Business Council of New England. As part of his pro-bono work, he serves as Chairman of the Board of Directors of Keep Massachusetts Beautiful. He also has done pro-bono work for Greenwood Memorial United Methodist Church and has won an award for his work on the Boston Marathon Victim Assistance Project.

Education

- Suffolk University Law School (J.D., *cum laude*)
- Hobart College (B.S.)

Public Service

- Commonwealth of Massachusetts MassDEP, Solid Waste Advisory Committee
- Keep Massachusetts Beautiful, President of the Board of Directors

Bar Admissions

- Massachusetts
- New York

Memberships

- Environmental Business Council on New England, Board Member

Honors

- Lawdragon Green 500: Leaders in Environmental Law (2023–2025)
- Steven G. Lewis Award for Service to the Environmental Industry, Environmental Business Council
- *Best Lawyers in America* Best Lawyer, Environmental Law, Litigation — Environmental (2006-2025)
- Chambers USA - Band 2 Massachusetts Environmental Law
- Massachusetts Super Lawyers (2004-2023)

To learn more about third-party ratings and rankings, and the selection processes used for inclusion, [click here](#).

Blog Posts: Environmental and Energy Law

Update

The Environmental and Energy Law Update blog provides an analysis and discussion of the most critical and timely legal issues and announcements environmental, natural resource, and energy sectors.

April 1, 2025

Implications of Trump Executive Orders for Massachusetts Environmental Justice Programs

On the first day of his Presidency, among 26 other Executive Orders that day, Donald Trump issued his Unleashing American Energy Executive Order rescinding President Biden's Executive Order 14096 of April 21, 2023 (Revitalizing Our Nation's Commitment to Environmental...

January 28, 2025

Converting Risk to Reward in the Biosolids Industry

Despite having over 130 years of collective environmental law experience, Verrill's environmental group is very cautious in making predictions about the future. But sometimes we identify a trend that seems so obvious that we are willing to venture a...

December 26, 2024

Unwrapping Maine's Gift to the Environment: A New Packaging Stewardship Program Set to Launch in 2026

Beginning in May of 2026, [1] owners of brands selling packaged products and importers of foreign-produced packaged products sold in Maine will be required to adhere to Maine's Stewardship Program for Packaging. [2] Beginning six months after the program...

December 2, 2024

Governor Healey Enacts Transformative Clean Energy and Economic Development Laws: Streamlined Permitting, Equity Protections, and Extended Project Approvals

On November 20, 2024, Governor Maura Healey signed the Massachusetts Leads Act, engrossing House Bill 5100 (the "MA Leads Act"), which, among many funding provisions, contains two changes that will significantly benefit project developers. Not to be outdone, on...

November 18, 2024

Administrative Penalties Under Scrutiny: Jarkesy's Potential Impact on EPA and Massachusetts Enforcement

The United States Environmental Protection Agency ("EPA") often uses civil penalties to punish environmental violators. The EPA can either pursue a penalty through its internal administrative process or have the Justice Department file suit to have a court impose...

August 19, 2024

Loper Bright and Massachusetts Environmental Law: Navigating the

Boundaries of Federal and State Authority

While the SCOTUS's Loper Bright Enterprises et al. (Loper) decision reversing Chevron was a win for those seeking to rein in the administrative state at the federal level, it does not sound the death knell for Massachusetts state administrative...

June 13, 2024

Massachusetts Provides Extra Protection to Environmental Justice Communities from Air Pollution

In a groundbreaking move, effective July 1, the Massachusetts Department of Environmental Protection will tighten the permitting requirement for certain existing and new sources of air pollution located near an environmental justice population. Environmental justice populations are those...

May 3, 2024

The Plastics Problem In Massachusetts Part II: Plastic Bags

In my October 2023 blog post about "The Plastics Problem in Massachusetts," I noted that environmental and some mainstream groups have been attacking traditional recycling of plastics in an effort to stop the manufacture of new single-use...

March 14, 2024

AG's Suit Against Town of Milton Shines a Spotlight on Housing Crisis

Last April, we reported that the Attorney General was set to enforce municipal compliance with denser, transit-friendly zoning requirements. Now that has come to pass. The recently commenced battle between the Town of Milton and the Attorney General's office...

February 2, 2024

The Persistent Problem of Waste

Massachusetts residents and businesses dispose of enough trash yearly to fill up about 31 Fenway Parks. Despite decades of government policies to reduce waste, we continue throwing away about six million tons of waste each year. Environmental groups advocate...

November 22, 2023

One Bad Apple Spoils the Whole Barrel: Do Not Mix a Potentially Contaminated Site With Other Assets

When considering the establishment of an estate or trust to hold title to real property, it is important to segregate potentially contaminated property from other assets. Unfortunately, once title vests in an estate or trust of which a contaminated...

October 12, 2023

The Plastics Problem in Massachusetts

In *The Graduate*, Mr. McGuire pulls aside Benjamin Braddock, played by Dustin Hoffman, and utters "one word" of career advice – "plastics." Benjamin's diffident reaction reflects his wealthy suburban character's utter lack of direction upon graduation from college...

August 31, 2023

Massachusetts Extends Brownfields Tax Credit Program

In August, Governor Healey signed the FY 2024 budget legislation extending for five years until January 1, 2029, the Brownfields Tax Credit that was set to expire at the end of 2023. Consequently, the redevelopment community now has five...

July 20, 2023

Implications of Supreme Court Affirmative Action Ruling on Massachusetts Environmental Justice Law and Policy

Not everyone would make a connection between the recent Supreme Court affirmative action decision on college admissions and the Massachusetts environmental permitting process. Although it may seem attenuated, for environmental and land use attorneys, we see a link. For...

June 1, 2023

Bonnie Heiple, MassDEP's New Commissioner, Among Fellow Attorneys Heading the Commonwealth's Environmental Agencies

The Healey Administration has followed a well-traveled path in appointing Bonnie Heiple, a respected environmental and energy attorney from a large Boston law firm (WilmerHale), as Commissioner of MassDEP. The Patrick Administration did the same when it appointed Laurie...

April 20, 2023

The Right Side of the Tracks: EPA Stands Up for Interstate Commerce and National Hazardous Waste Management Infrastructure

By now, we all are familiar with the furor over the derailment of chemical-laden rail tanker cars in East Palestine, Ohio. Locals understandably pushed for immediate cleanup to reduce the risk to their health and the longer-term environmental impacts...