

Ed Callaway

PARTNER



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At the intersection of environmental law and strategic business objectives, companies turn to Ed Callaway for advice on the regulatory demands and details that impact commercial development projects, acquisitions, and day-to-day operations in a wide range of industries. Clients appreciate Ed's professional and personal curiosity and his willingness to get his hands dirty - literally - when making on-site visits to better understand their operations.

Ed has provided enforcement defense and compliance advice to the largest solid waste disposal companies in the U.S., and has advised some of Tennessee's largest hazardous waste treatment facilities regarding permitting issues and matters involving site contamination and remediation.

He has assisted investors, developers and banks navigating Tennessee's brownfield redevelopment program, facilitating dozens of the state's landmark projects including HCA's headquarters, River North and Hill Center Sylvan Heights.

Ed also frequently serves as environmental counsel, performing critical due diligence assessments for clients involved in mergers, acquisitions, and divestitures in the healthcare, wireless communications, and other industries.

He has successfully resolved environmental compliance matters associated with mining and industrial operations and commercial real estate development projects throughout the Southeast, including local, state, and federal permitting as well as other issues that can delay or derail projects, including:

- Protection of endangered species
- Wetlands preservation
- Site contamination

EXPERIENCE

- **Tri Star Energy acquires Hollingsworth Oil**

Assisted Tri Star Energy with the acquisition of Hollingsworth Oil and its "Sudden Service" chain of convenience stores.

- **Chemical production company rectifies environmental compliance violations**
Advised a chemical production company in a critical self-auditing program to evaluate waste management status and risk management procedures.
- **Waste management company negotiates \$400,000 debt in dispute with municipal customer**
Represented a waste management company in a dispute with municipal customer over the potential application of penalties for missed collections under the former contract.
- **Waste management company develops future disposal capacity for Middle Tennessee**
Represented a waste management company in its strategic planning process for future disposal capacity for Middle Tennessee.
- **Property owners fight for permit to dewater a quarry**
Assist property owners in winning a permit for dewatering a quarry and in establishing unusual parameters on this matter to gain the approval of the project.
- **Facebook develops \$800 million data center in Middle Tennessee**
Represented Facebook with the acquisition and development of a site in Middle Tennessee for an \$800+ million data center, including assembling the real estate property from multiple owners and a complicated trust on property.
- **Commercial real estate firm faces environmental issues in redevelopment of urban site**
Assisted a commercial real estate firm with the redevelopment of an urban site and advised on post-closing issues related to the implementation of a soil management plan.
- **Real estate investment firm avoids environmental liability, negotiates possible terms of sale**
Advised a private equity real estate investment firm in their plans to develop 106 acres of industrial park on the Cumberland River in Nashville, Tennessee, for a mixed-use project. Waller worked to mitigate developer environmental liability going forward and advised regarding terms of a potential sale agreement.
- **RCCH HealthCare Partners acquires Trios Health**
Advised RCCH HealthCare Partners in its \$78 million acquisition of Trios Health in Kennewick, Wash.
- **The Regional Health Network of Kentucky and Southern Indiana acquires Clark Memorial Hospital**
Represented the Regional Health Network of Kentucky, a joint venture between Norton Healthcare and LifePoint Health, in its acquisition of Clark Memorial Hospital in Jeffersonville, Kentucky.
- **Ventas acquires Ardent Medical Services for \$1.75 billion**
Served as special healthcare, real estate and diligence counsel to Ventas, Inc. during its acquisition of Ardent Medical Services for \$1.75 billion.

- **Capella Healthcare's integrated delivery network adds Kershaw Health**
Advised Capella Healthcare in its affiliation with KershawHealth in South Carolina.
- **Duke LifePoint acquires land in Michigan for the construction of a new hospital**
Represented Duke LifePoint Healthcare in the purchase of municipal land for the construction of a replacement hospital in Michigan's Upper Peninsula.

EDUCATION

- J.D., *cum laude*, Vermont Law School, 1993
- B.A., *cum laude*, Dartmouth College, 1990

COURT ADMISSIONS

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court, Middle District of Tennessee
- U.S. District Court, District of Columbia

BAR ADMISSIONS

- Tennessee
- Kentucky

RECOGNITIONS

Chambers USA

- Environmental Law (Tennessee), 2012-2021

The Best Lawyers in America® (BL Rankings)

- Environmental Law, 2012-2022

Mid-South Super Lawyers (Thomson Reuters)

- Environmental, 2013-2015, 2017-2020

Martindale-Hubbell

- AV Rated

PROFESSIONAL INVOLVEMENT

- Member, Nashville, Tennessee and American Bar Associations
- Member and Former Chair, Environmental Law Sections of the Nashville and Tennessee Bar Associations
- Member, Environment, Energy, and Natural Resources Section of the American Bar Association
- Former Board Member, Volunteer Section, Solid Waste Association of North America
- Former Program Vice Chair for the Environmental Transactions and Brownfields Committee, Section of Environment, Energy and Resources, American Bar Association