



## Janessa M. Glenn

### Counsel

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## OVERVIEW

Janessa Glenn is counsel at the firm's Austin office where she concentrates her practice on M&A environmental due diligence, environmental regulatory issues, and a variety of administrative law issues. Her current practice particularly focuses on the environmental aspects of the acquisition and development of large-scale alternative energy projects. Janessa practices both before state agencies, including contested case proceedings, and in state court related judicial review of agency decisions. She frequently represents clients in Superfund cost recovery matters, both state and federal. Recently, Janessa's practice has included LNG air permitting in Texas.

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Janessa was a partner at an Austin law firm. She served as briefing attorney to the Honorable Justice Woodie Jones, Third Court of Appeals for the State of Texas, during the 1998-1999 term.

## ACHIEVEMENTS

- Rated AV-Preeminent
- Listed in *Best Lawyers in America*® for Environmental Law (2020-2023)

## PROFESSIONAL / CIVIC ACTIVITIES

- Industry Council on the Environment (Former Legal Counsel; Former Board Member)
- Girl Scouts of Central Texas (Oak Hill Service Unit Director; Chair of Forms Committee)

## SPEAKING ENGAGEMENTS

- "Environmental Policy Under the Trump Administration: Legal Mechanisms for Change," The Texas Women in Energy Conference, Spring 2017
- "Implementation of Environmental Change under the Trump Administration," January 2017

- “A New Day Dawning for CERCLA Liability,” Industry Council on the Environment, 2010
- “Water Law in Texas,” LBJ School, University of Texas, 2006
- “Challenging the HGA SIP Rules: Litigation Thoughts, Strategies, and Potential Impact,” Clean Air Solutions for NOx Reduction Seminar, Houston, January 2001

## ADDITIONAL BACKGROUND

- St. Mary's University School of Law (Freshlaw Program, 1995/1996)

## EDUCATION

- J.D., The University of Texas School of Law, 1998 (*honors*)
- B.A., The University of Texas at Austin, 1991

## ADMISSIONS

- Bar of Ohio
- Bar of Texas

## THOUGHT LEADERSHIP POWERED BY HUB

- 3 February 2022, EPA Releases Final TSCA Scope Document for First Two Phthalate Chemicals
- 24 January 2022, EPA and States Get Busy on PFAS Waste Regulation
- 12 January 2021, PFAS - EPA Interim Guidance on How to Say Goodbye to Your "Forever Chemicals"
- 29 September 2020, TCEQ Considers Major Revisions to Penalty Policy
- 29 June 2018, Supreme Court Offers Others a Chance for a Second Bite at the Apple in Federal Administrative Adjudication Proceedings – But the Clock is Ticking
- 30 November 2016, EPA Finalizes Hazardous Waste Generator Improvements Rule
- 10 October 2016, Retailers May Be Liable for Hazardous Waste Violations
- 2 July 2015, K&L Gates Texas Environmental Legislative Review

## OTHER PUBLICATIONS

- Essentials of Texas Water Resources, *Chapter Co-Author, Water Availability Certification for Development, State Bar of Texas*, 2009 (First Edition) and 2012 (Second Edition)

- The Howmet Decision: Spent Materials Under RCRA, *EM, Air and Waste Management Association's Magazine for Environmental Managers*, 2011
- A New Day Dawning for CERCLA Liability, *Industry Council on the Environment*, 2010
- "Case Update," *Travis County Bar Appellate Law Section*, October 2000

## NEWS & EVENTS

- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 *Chambers USA* Guide
- 17 August 2020, K&L Gates Advises Tokyo Gas America on Two Acquisitions
- 16 July 2015, K&L Gates Bolsters Labor & Employment Practice with Immigration Partner Addition in Texas
- 4 May 2015, K&L Gates Adds Environmental, Administrative Law Trio in Austin Office

## AREAS OF FOCUS

- Environment, Land, and Natural Resources
- Government and Public Procurement
- Oil and Gas
- Water and Wastewater

## REPRESENTATIVE EXPERIENCE

- Environmental due diligence aspects of multiple wind and solar energy projects
- Obtain LNG export terminal air permits for both state and federal requirements
- Permitting aspects for a commercial hazardous waste incinerator
- Represent large waste management company in contested application for new MSW landfill permit before the State Office of Administrative Hearings
- Single Property Designation application

- Appeal of Edward's Aquifer Authority denial of permit from trial court through the Texas Supreme Court
- Settlement negotiations against State of Texas in Superfund Cost recovery matter.
- Conduct "All Appropriate Inquiry" analysis for commercial sites nationwide
- Regulatory Counseling on State and Federal Water Quality/Pretreatment Environmental issues
- Defend against local wastewater treatment violation allegations
- Respond to EPA 104(e) information requests and coordinate Good Faith Offers
- Environmental due-diligence aspects of commercial property transactions for purchasers and lenders
- Represent oil and gas companies with respect to internal audits
- Water conveyance aspects of property sale and acquisition of large ranch property for development as a subdivision with both surface and groundwater
- Review and analysis of historical transfer of groundwater for large commercial transaction
- Municipal Settings Designation applications for commercial property transactions
- Represent applicant for horse and greyhound racetracks in contested matters before the State Office of Administrative Hearings
- Successful in defending client against EPA Region VI enforcement alleging improper recycling of hazardous waste
- Federal Court representation of clients in CERCLA cost recovery litigation
- Cost recovery against 100 parties in Superfund Cost Recovery action
- PRP Group Counsel for Texas Superfund Site addressing PCB soil and groundwater contamination. Favorably navigate client from Texas Superfund to the Texas VCP program
- Defend against DOJ claims of improper hazardous waste recycling
- Regulatory Counseling on State and Federal Hazardous Waste Recycling issues
- Advise aluminum extrusion company in management of hazardous and solid waste