



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 a variety of administrative law issues, environmental regulatory issues, and environmental litigation. Janessa practices both before state agencies, including contested case proceedings, and in state court related judicial review of agency decisions. Her current practice also includes a concentration on the management and conveyance of surface and groundwater rights, Superfund cost recovery and appellate practice before the Texas Courts of Appeal and the Texas Supreme Court. 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 the 2020-2021 edition of the *Best Lawyers in America* in the area of Environmental

PROFESSIONAL / CIVIC ACTIVITIES

- Industry Council on the Environment (Current 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 Texas

THOUGHT LEADERSHIP POWERED BY HUB

- 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 (*Alerts/Updates*)
- 30 November 2016, EPA Finalizes Hazardous Waste Generator Improvements Rule (*Alerts/Updates*)
- 10 October 2016, Retailers May Be Liable for Hazardous Waste Violations (*Alerts/Updates*)
- 2 July 2015, K&L Gates Texas Environmental Legislative Review (*Alerts/Updates*)

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

- 17 August 2020, K&L Gates Advises Tokyo Gas America on Two Acquisitions (*Noteworthy Work*)
- 16 July 2015, K&L Gates Bolsters Labor & Employment Practice with Immigration Partner Addition in Texas (*Press Release*)
- 4 May 2015, K&L Gates Adds Environmental, Administrative Law Trio in Austin Office (*Press Release*)

AREAS OF FOCUS

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

REPRESENTATIVE EXPERIENCE

- 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 programFavorably 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
- Environmental due diligence aspects of wind energy projects.
- Obtain LNG export terminal air permits for both state and federal requirements