



## JOHN R. JACUS Partner

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(303) 892-7305 phone (303) 893-1379 fax

### Expertise

Climate Change, Energy Industry, Environmental Law, Greenhouse Gas Regulation, Insurance Litigation, Mining, Natural Resources, Oil & Gas Industry, Renewable Energy, and Safety & Health

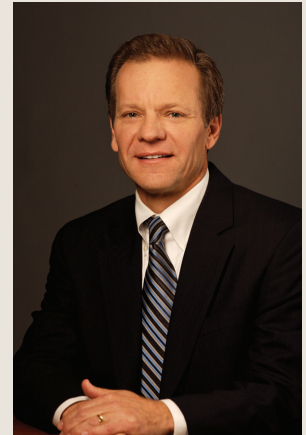
### Education

University of Colorado, J.D., 1984

Stanford University, B.A., 1979

### Admitted In

Colorado



**John R. Jacus** represents clients under all major federal and state environmental laws and regulatory programs, including the Clean Air Act, RCRA, CERCLA, and the Clean Water Act, and NEPA regularly advises clients regarding new greenhouse gas (GHG) reporting and regulation rules and legislation for the firm's clients. His practice includes environmental litigation, administrative proceedings and representation in complex business transactions. He is experienced in rule-making and adjudicatory proceedings, permitting, litigation for cost recovery, citizen suits, environmental insurance coverage, and the judicial appeal of adverse agency actions, among other matters.

Mr. Jacus' environmental practice has emphasized the unique legal and operational requirements applicable to the oil & gas, mining and other natural resources industries, including new and innovative projects on the public lands. He has been heavily involved in rulemaking and enforcement defense proceedings involving air quality regulation of stationary sources in oil & gas exploration, production, and gathering including the promulgation of emission control requirements and efforts to aggregate numerous minor sources into a single major source permit. He also has substantial transactional due diligence and compliance counseling experience in hardrock and coal mining, for both surface and underground facilities. He has particular expertise in the regulation of special wastes under the Resource Conservation and Recovery Act (RCRA) and related state laws, including oil & gas exploration and production (E&P) wastes, and so-called "Bevill" mining wastes exempt from RCRA hazardous waste regulation.

Mr. Jacus has represented clients at Superfund and RCRA sites in the Rocky Mountain region and around the country, and negotiated the favorable resolution of many disputes, including multi-party negotiations on administrative orders, alleged stipulated penalties, substantial response cost demands, and complex cost allocations. He is also well-versed in environmental auditing and voluntary disclosure, as

well as voluntary cleanup under various state programs. He has represented both developers and lenders in connection with permitting and other environmental issues for different major energy projects in Colorado, including wind power and solar projects.

Mr. Jacus has authored numerous articles on subjects ranging from Clean Air Act Developments to the transport of hazardous waste to adoption of corporate environmental policies, in various publications of the ABA, the Colorado Bar Association and the Rocky Mountain Mineral Law Foundation, among many others. He also served as Editor-in-Chief of Hazardous Waste Strategies Update, a quarterly magazine published by Shepard's - McGraw Hill, from 1993 to 1997, and as Editorial Assistant for the American Law of Mining 2d.

Mr. Jacus is former Chair of the Environmental Law Section, Colorado Bar Association (1996-1997), and a member of the ABA Section of Environment, Energy & Resources (SEER). Mr. Jacus currently serves as SEER's liaison to the Rocky Mountain Mineral Law Foundation and served on SEER's Council from 1995 to 1998 and again in 2009-2010. He served on the editorial board for "Trends," SEER's newsletter from 1998 to 2002. Mr. Jacus was co-chair of SEER's Annual Conference on Environmental Law (Keystone Conference) from 1993 to 1996, and served as the Environmental Program Chair of the 44th Annual Rocky Mountain Mineral Law Institute in 1998. Mr. Jacus currently is a Vice Chair on SEER's Air Quality Committee and chairs the Colorado Association of Commerce & Industry's Energy and Environmental Council.

Mr. Jacus has been listed in the International Who's Who of Environment Lawyers since 2004 (1st Edition, Who's Who Legal), was named among the 2011 Chambers USA award recipients as a Leader in Their Field in Natural Resources & Environment, was recognized in 2006 by The Best Lawyers in America, and is also peer review rated AV through Martindale-Hubbell. In 1997, Mr. Jacus was a recipient of the U.S.

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Environmental Protection Agency's Silver Hammer Award for his work with the North Boulder Project Team in an effort to avoid CERCLA NPL listing of the Crestview neighborhood.

Mr. Jacus is active in community and pro bono organizations. He has served in various capacities with governance committees and on boards of various public and private schools in Boulder, Colorado. Mr. Jacus is also past Chair of the University of Colorado at Boulder Alumni Association's Board of Directors (2003-2005), and is a former member of the University of Colorado Foundation's Board of Trustees (2003-2007).

### Selected Published Articles

- Go West Young Man? Air Quality Developments Affecting Western Oil & Gas Exploration and Development (March 2010)
- The Many Implications of GHG Reporting and Regulation (Control of VOCs)
- Revised Colorado AQCC Regulation No. 7
- Hazed and Confused: Clean Air Act Developments Affecting the Oil and Gas Industry
- Mineral Processing Under the EPA Spotlight
- Transport of Hazardous Waste
- At Odds -- Colorado and the EPA Struggle Over the State's Newly Reaffirmed Environmental Audit Law
- Coming Full CERCLA: An Update on Superfund Developments
- RCRA Compliance Orders In the Oil Patch: Sleeping Giant or Paper Tiger?
- Environmental Law: New Cases Control Recovery of Costs for Cleanup
- Some Remediation Costs Deductible
- Environmental Issues in Redevelopment
- An Array of Issues: The Legal Climate is Conducive to an Environmental Management Overhaul
- The Law of Mine Waste