



Christopher J. Neumann

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Christopher J. Neumann counsels clients in the retail, natural gas, petroleum, construction, home building, solid and hazardous waste, and mining industries on a wide variety of litigation, environmental, natural resources, American Indian law, administrative, land use and insurance coverage matters. Chris is a civil engineer and a Certified Professional in Erosion and Sediment Control (CPESC). He frequently counsels clients on complex storm water compliance and enforcement matters. Chris represents clients in connection with civil, administrative and criminal enforcement by USEPA, states, tribes, local governments and citizen groups, as well as related compliance matters, under the Clean Water Act (CWA), Clean Air Act (CAA), Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Emergency Planning and Community Right to Know Act (EPCRA), Toxic Substances Control Act (TSCA), and numerous other federal, state and tribal laws. Chris also represents clients in connection with federal, state and tribal rulemaking proceedings, including matters pending before USEPA, the Colorado Air Quality Control Commission, the Colorado Oil and Gas Conservation Commission, the Colorado Water Quality Control Commission and the Colorado Public Utilities Commission. Additionally, Chris assists clients in efforts to obtain land use approvals, and in efforts to resolve environmental concerns in complex business transactions.

Chris has served as an appointee of Governor Bill Owens and Governor Bill Ritter to the Colorado Solid and Hazardous Waste Commission since September 2005. In May 2007, Chris was elected to serve on the Commission's Executive Committee as Vice Chairman. Chris also served on the Colorado Air Quality Control Commission from 2004 to 2007, where he participated in numerous rulemakings relating to matters such as the Ozone Early Action Compact, Regional Haze, New Source Review and the Clean Air Mercury Rule, and also served as a Hearing Officer on enforcement appeals.

Since 2005, Chris has served as an Adjunct Professor in the Environmental and Natural Resources Program at the University of Colorado School of Law, where he teaches courses in Hazardous Waste Law and Environmental Enforcement.

Chris is a 2007 recipient of the American Marshall Memorial Fellowship awarded by the German Marshall Fund of the United States.

Prior to joining the firm, Chris served as a law clerk for the Environmental Enforcement Section of the U.S. Department of Justice and for Waste Management, Inc.

Areas of Experience

- Litigation
- Environmental
- American Indian law
- Natural resources
- Land use
- Administrative law
- Government contracts
- Real estate
- Brownfield development
- Insurance coverage litigation
- Environmental aspects of business transactions
- Aviation law

Significant Representations

- Representing a national retail developer on CWA Storm Water Program compliance and enforcement matters.
- Representing a national home builder on Colorado Storm Water Program compliance and enforcement matters.
- Represented a national aggregate firm on CWA Storm Water Program compliance and enforcement matters.
- Representing Colorado Interstate Gas Co. in litigation relating to preemption of Kansas oil and gas laws and regulations pursuant to the Pipeline Safety Act and Natural Gas Act. Colorado Interstate Gas Co. v. Wright, No. 09-cv-4031-SAC-JPO (D. Kan. 2009).
- Representing El Paso Natural Gas Co. in litigation pursuant to Uranium Mill Tailings Radiation Control Act (UMTRCA) and RCRA relating to alleged uranium mill tailings contamination at locations on the Navajo and Hopi Reservations. EPNG v. U.S., No. 07-CV-00905 (D.D.C.).
- Representing El Paso Merchant Energy-Petroleum Company in defense of CERCLA Section 106 enforcement proceedings relating to alleged mercury contamination from historic mining operations in Lake County, California. In the matter of El Paso Merchant Energy-Petroleum Company, U.S. EPA Docket No. 9-2007-1.
- Representing Colorado Interstate Gas Company in defense of Clean Air Act enforcement proceedings relating to compressor station operations. In the matter of Colorado Interstate Gas Co., Docket No. CAA-08-2004-0006.
- Representing bio fuels firm in defense of CERCLA Section 106 enforcement proceedings relating to spill of various bio fuels-related materials from facility in Adams County, Colorado. In the matter of Bio Energy of Colorado Site, U.S. EPA Docket No. CERCLA-08-2008-0010.
- Representing home builder in connection with obtaining approvals for PCB remediation at Brownfield redevelopment in Colorado.
- Representing trade groups in connection with negotiation and implementation of newly enacted Navajo Superfund Law.
- Representing Colorado Interstate Gas Co. in connection with 2008 Colorado Oil and Gas Rulemaking and related Pipeline Safety Act and Natural Gas Act preemption matters and rulemaking proceedings.

- Representing national wind energy firm in connection with the 2008 Colorado Resource Plan proceedings before the Colorado PUC.
- Representing solid waste firms in connection with obtaining major amendments to certificate of designation for solid waste disposal facility and conditional use permits for transfer station operations.
- Represented trade group in connection with filing of amicus curiae brief to the Colorado Supreme Court in connection with the appeal of a proposed ban on the use of cyanide for heap leach mining by Summit County, Colorado. *Colorado Mining Assoc. v. Board of County Comm'rs of Summit County*, No. 07-SC-497 (2007).
- Represented El Paso Natural Gas Co. in defense of a first of its kind Pipeline Safety Act enforcement matter stemming from an August 19, 2000 pipeline rupture near Carlsbad, New Mexico in which the company agreed to pay a \$15.5 million penalty and to spend at least \$86 million to implement modifications to its pipeline system. *U.S. v. EPNG*, No. 1:07-cv-715 (D.N.M. 2007).
- Represented Colorado firm in connection with CAA Fuels Program enforcement case relating to the alleged unlawful blending or refining of various fuels products at a facility in Colorado. *U.S. v. Aspen Petroleum Prods., Inc.*, No. 07-cv-02382 (D. Colo. Jan. 17, 2008).
- Represented a Brownfield developer in an action seeking reimbursement for approximately \$500,000 in cleanup costs relating to historic PCB and VOC contamination before the Illinois Pollution Board. *2222 Elston LLC v. Purex Industries, Inc. et al.*, PCB No. 03-55 (Ill. Poll. Contr. Bd.).
- Represented Continental Airlines in connection with insurance coverage matters relating to the former Stapleton International Airport. *Continental Airlines, Inc. v. Certain Underwriters at Lloyd's of London and London Market Companies*, No. 00cv1488 (Adams County Dist. Ct.).
- Participated as a member of the lead defense team for the Summitville Mine Superfund Site, representing an individual corporate officer and director from whom the United States and the State of Colorado sought over \$200 million under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). *U.S. v. Friedland*, 152 F. Supp. 2d 1234 (D. Colo. 2001).
- Represented national petroleum refiner in connection with litigation relating to RCRA post closure matters at refinery in Casper, Wyoming. *Amoco Oil Co. v. EPA*, 231 F.3d 694 (10th Cir. 2000).

Professional & Community Involvement

- Gubernatorial Appointee, Vice Chairman, Colorado Solid and Hazardous Waste Commission, (2005 to present)
- Member, Denver Metro Chamber Foundation, 2006 Leadership Denver Program
- Member, Denver Metro Chamber Foundation, 2005 Chamber 100 Program
- Member, American Bar Association (Section of Environment, Energy and Resources)
- Member, Colorado Bar Association
- Member, Colorado Bar Association, Environmental Law Section Advisory Council

- Member, American Society of Civil Engineers (ASCE)
- Member, National Association of Industrial and Office Properties (NAIOP)
- Member, Aircraft Owners and Pilots Association (AOPA)
- Member, International Erosion Control Association (IECA)
- Past Gubernatorial Appointee, Colorado Air Quality Control Commission, (2004 to 2007)
- Past Member, North Front Range Transportation and Air Quality Planning Council, (2004 to 2007)
- Past Member, Board of Directors, Pikes Peak Area Council of Governments, (2004 to 2007)
- Adjunct Professor, Hazardous Waste Law and Environmental Enforcement, University of Colorado School of Law
- Certified Professional in Erosion and Sediment Control (CPESC)
- Member, Alumni Board of Directors, Lewis & Clark Law School, (2007 to 2010)

Articles, Publications & Lectures

Articles

- Author, "Successor Liability and CERCLA: the Runaway Doctrine of Continuity of Enterprise," 27 *Envtl. L.* 1373 (1997-98)
- Author, casenote, *American Forest & Paper Assoc. v. EPA*, ABA Energy Litigation Newsletter, at 5 (Winter 1999)
- Co-Author, "Incipient Interface Waves As Seismic Precursors to Failure During Fracture Formation," *EOS-Transactions, American Geophysical Union*, Vol. 76, No. 46
- Co-Author, "Incipient Interface Waves Used To Monitor Rock Failure," *Rock Mechanics Tools and Techniques, Proceedings of the 2nd N. Am. Rock Mechanics Symposium held in Montreal, Quebec, Canada, 19-21 June 1996*, Vol. 2, 1169-1175

Lectures

- "Storm Water: A Legal Perspective," presented at the National Stone, Sand & Gravel Association's ("NSSGA") Environmental Safety & Health Forum and Expo in Denver, Colorado, September 14, 2006
- "Storm Water Training for the Construction Materials Industry (Ready Mixed, Asphalt, and Sand & Gravel): Legal Developments and Enforcement Trends," presented in Golden, Colorado, June 22, 2006
- "Phase II Storm Water Regulation and Compliance in Colorado," presented in Colorado Springs, Colorado, December 7, 2005

Miscellaneous

- Moderator, "Emerging Preemption Issues in Environmental and Natural Resources Law.", Colorado Bar Association, Environmental Law Section Topical CLE Luncheon, April 28, 2009

Awards & Recognition

- Selected by *Super Lawyers* magazine and *Colorado Super Lawyers* magazine as a Rising Star, 2009
- Listed, *Chambers & Partners USA Guide*, an annual listing of the leading business lawyers and law firms in the world, 2007-2009 editions

Education

- J.D., Lewis & Clark Law School, 1998
 - Certificate in Environmental and Natural Resources Law
 - Associate Editor, *Law Review*
 - Member, *Law Review*
 - Environmental Moot Court
- B.S., Engineering and Environmental Science (Civil Engineering), University of Notre Dame, 1995

Languages

- Spanish

Admitted to Practice

- Colorado
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Columbia
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, Eighth Circuit