Gerald J. Pels

Partner

Houston

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Gerry is a leader in the Texas environmental legal community. His diverse practice of more than 30 years focuses on compliance, permitting, and enforcement defense, as well as risk management, agency negotiation, counseling, litigation, and ESG program development and reporting.

OVERVIEW

Gerry has led teams working on cutting-edge matters of environmental law throughout his career, including resolving the well-known *Cooper v. Aviall* litigation and arguing Clean Air Act issues before the Fifth Circuit in litigation involving the Texas SIP. He is consistently recognized in *Chambers USA*, as well as in *The Best Lawyers in America*® for Environmental Law. Gerry was also an adjunct law professor for seven years, teaching both environmental law and an advanced RCRA seminar.

Gerry's wide range of experience includes agency negotiations, assessing and counseling air, water, stormwater, and waste permit compliance and enforcement defense, and representing clients at contested permit, enforcement, and other hearings. He has extensive experience representing the upstream and midstream energy sectors in air permitting, compliance, and enforcement defense. Gerry is a frequent speaker and writer on air emission issues affecting the energy space.

Gerry leads internal environmental investigations and provides strategic board-level guidance on environmental cost structuring and regulatory gap analyses, reporting, risk minimization; corporate environmental compliance policies; stakeholder involvement, and community relations planning; as well as corporate risk assessment.

REPRESENTATIVE MATTERS

- Representing a major energy company in connection with focused due diligence, including NSR permitting analyses of proposed and existing source modifications and other air emissions compliance matters associated with potential refinery acquisitions.
- Arguing before the Fifth Circuit a defense of the Houston-Galveston SIP against claims brought by various parties, including environmental activist groups.
- Representing a hazardous waste management facility in connection with re-permitting its solvent recycling and fuels blending units to address VOC emissions on a non-speciated basis and defending related enforcement actions.
- Representing a *Fortune* 500 manufacturer in connection with potential emissions aggregation at plants in close

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proximity to one another and developing a strategy to avert major source thresholds.

- Representation of industrial concerns in Title V and other air permitting throughout the U.S., including Texas, Oklahoma, Louisiana, Georgia, Alaska, Illinois, Indiana, Pennsylvania, Wyoming, New Mexico, Indiana, North Dakota, West Virginia, and Colorado.
- Providing corporate-level strategic planning to address environmental initiatives, including air emissions management and reductions, sustainability, and climate change risk assessment, and preparedness.
- Defending publicly traded and private upstream and midstream companies against state and federal air emissions enforcement actions across the U.S.
- Developing stakeholder analyses to develop and refine facility acquisition and permitting strategies.
- Representing a major manufacturer in connection with environmental indemnity claims involving response at more than 100 facilities in the U.S. and abroad. The matter settled after three weeks of trial.
- Evaluating, negotiating, and developing risk management strategies related to facility acquisitions and divestitures, including the development of manuscript insurance products, utilization of audit privilege and immunity programs, and other means to address environmental responsibility.
- Siting and permitting industrial and energy facilities, including gas processing plants, solid and hazardous waste management facilities, manufacturing plants, power plants, and renewable energy facilities.
- Providing comprehensive representation of potentially responsible parties and steering committees at state and federal Superfund sites.
- Negotiating agreed orders to, among other things, resolve enforcement actions, conduct remedial investigations, and feasibility studies; handled a variety of other regulatory actions.

AWARDS

- *Chambers USA*: Environment, Texas (2004-2026)
- *Best Lawyers in America*®: Environmental Law (2006-2027)
- *Thomson Reuters* Stand-out Lawyer (2022-2024, 2026)
- *Lawdragon*, *500 Leading Environmental Lawyers – The Green 500* (2023-2026)
- *Lawdragon: 500 Global Leaders in Energy* (2023-2026)
- Lawyers of Distinction (Environmental Law) (2025)
- Who’s Who Advisor Handbook (2025)
- *Global Law Experts*, Environmental Law (2023)
- *Lawdragon,* Leading Lawyers in Environmental and Energy Law (2021)
- *The Lawyers of Distinction* (2019)
- *Top 100 Registry Business Leaders and Professionals* (2017)
- *Houstonia Magazine,* Top Environmental Lawyers (2013-2015)
- *Texas Super Lawyers*®, Environmental (2007-2011, 2013)
- *Texas Super Lawyers*®, Corporate Counsel Edition (2008)
- *H Magazine,* Leading Environmental Lawyers
- *Rue Ratings’ Best Attorneys of America* (2015)

TOP AREAS OF FOCUS

- Air Quality + Climate Change
- Contaminated Sites + Waste Management
- Environmental + Natural Resources
- Environmental Litigation + Enforcement Defense

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ALL AREAS OF FOCUS

- Air Quality + Climate Change
- Chemicals, Pesticides + Product Regulation
- Contaminated Sites + Waste Management
- Energy
- Environmental + Natural Resources
- Environmental Due Diligence
- Environmental Litigation + Enforcement Defense
- Environmental, Social + Governance (ESG)
- PFAS + Emerging Contaminants
- Release Reporting
- Water Quality + Water Resources

PROFESSIONAL/COMMUNITY INVOLVEMENT

- The Foundation for Natural Resources and Energy Law (Publications Committee)
- Member, Association of Chemical Industry of Texas
- Member, Houston Bar Association, Environmental Section
- Member, Greater Houston Partnership
- Member, Texas Bar Association, Environmental and Natural Resources Section
- Member, Houston Bar Association, Environmental Section
- Member, Petro-Safe Planning Committee (1994-1995)
- Adjunct professor, Environmental Law and Advanced Hazardous Waste Seminar, South Texas College of Law, Houston (1991-1997)

EDUCATION AND CERTIFICATIONS

EDUCATION

- Vanderbilt University Law School, J.D., 1983, Order of the Coif; executive editor, *Vanderbilt Journal of Transnational Law*
- St. Joseph's University, A.B., *summa cum laude*, 1980

BAR ADMISSIONS

- Texas

LANGUAGES

- German

SPEAKING ENGAGEMENTS

- Speaker, “Power Play: Navigating EPA’s New Rulebook,” *Energy Law Insights*, November 11, 2025.

- Speaker, "Environmental Challenges in the E&P and Midstream Sectors: Navigating New Regulations and How Air Quality Issues Will be Affected by the New Administration," Troutman Pepper Locke, June 18, 2025.
- Panelist, "EPA's New Oil and Gas Methane Regulations," The Foundation for Natural Resources and Energy Law Webinar, March 20, 2024.
- Panelist, "Confronting The New SEC Climate Disclosure Rule," Georgetown Law Webinar, October 25, 2022.
- Panelist, "ESG and What It Means to the Industry," UT CLE 48 Annual Ernest E. Smith Oil, Gas and Mineral Law Institute, April 21, 2022.

PUBLICATIONS

- Co-author, "Trends and Developments," *Chambers Power Generation, Transmission & Distribution 2026 Global Practice Guide*, July 21, 2026.
- Co-author, "Power Generation, Transmission & Distribution 2025," *Chambers Global Practice Guides*, August 2025.
- Co-author, "New Texas Railroad Commission Rules: Challenges and Permitting for the E&P Industry," *Troutman Pepper Locke*, May 21, 2025. Republished in *Pratt's Energy Law Report*, Vol. 25-10, November-December 2025.
- Co-author, "Texas BACT Is a Fact: The Texas Supreme Court Unpacks the Texas Clean Air Act's BACT Definition," *Troutman Pepper Locke*, February 20, 2025.
- Co-author, "Keeping Track of the Trump Executive Actions," *Troutman Pepper Locke*, February 13, 2025.
- Co-author, "Environmental Law 2024," *Chambers Global Practice Guides*, December 22, 2024.
- Co-author, "Environmental Law 2024," *Chambers Global Practice Guides*, November 28, 2024.
- Co-author, "Power Generation, Transmission & Distribution 2024," *Chambers Global Practice Guides*, July 18, 2024.
- Co-author, "Get Into the Ring: The Supreme Court's *Loper Bright* and *Corner Post* Rulings Set up Round Upon Round of New Regulatory Challenges," Locke Lord QuickStudy, July 9, 2024.
- Co-author, "Oil and Gas Company Lawyers: Navigating the ESG Landscape," *Texas Bar Journal*, March 26, 2024.
- Co-author, "EPA's New Particulate Rule: A Particular Issue for Industry," Locke Lord QuickStudy, February 15, 2024.
- Co-author, "Environmental Law 2023 Practice Guide," *Chambers Global Practice Guides*, *USA – Texas*, November 2023.
- Co-author, "Alternative Energy & Power 2023, Trends & Developments, USA – Texas," *Chambers Global Practice Guides*, July 2023.
- Co-author, "PFAS Are Ubiquitous and so Is PFAS Rule Making in 2023!" Locke Lord QuickStudy, May 9, 2023.
- Co-author, "How Low Can Regulatory Standards Go? EPA Proposes the First Federally Enforceable Drinking Water Regulation to Address PFAS," Locke Lord QuickStudy, April 7, 2023.
- Co-author, "What the Regulated Community Needs to Know About EPA's Proposed Designation of PFOA and PFOS as CERCLA Hazardous Substances," Locke Lord QuickStudy, September 8, 2022.
- Co-author, "Supreme Court Claims 'Unprecedented' Administrative Reach to Strike Down Sector Based Curtailment of Power Plant GHG Emissions," Locke Lord QuickStudy, July 13, 2022.
- Co-author, "EPA Sets Stricter Health Advisory Limits for PFAS – a Harbinger of More Regulation?" Locke Lord QuickStudy, June 17, 2022.
- Co-author, "SEC Proposes Climate-Related Disclosure Requirements," Locke Lord, March 24, 2022.
- Co-author, "SEC Proposes Climate-Related Disclosure Rules – What You Need to Know," Locke Lord QuickStudy, March 24, 2022.
- Co-author, "SEC Signals Heightened ESG Focus," Locke Lord QuickStudy, September 24, 2021.

- Co-author, “Revised Memorandum of Understanding Brings Further TCEQ Oversight to the Texas Oil Patch,” Locke Lord QuickStudy, July 14, 2020.
- Co-author, “EPA’s Stakeholder Report on Produced Water Management: Is Further Regulation on the Horizon and Should Industry Encourage It?” Locke Lord QuickStudy, June 24, 2020.
- Co-author, “Federal and State Environmental Authorities Respond to COVID-19,” Locke Lord QuickStudy, March 27, 2020.

MEDIA COMMENTARY

- Quoted, “EPA Methane Rule Likely to Face Legal Challenges Despite Being ‘Conventional’ Rule,” *The National Law Journal*, December 11, 2023.
- Profiled, “Energizing From the Ground Floor: Gerry Pels On Environmental Law,” *Lawdragon*, July 12, 2023.
- Quoted, “Exxon CAA Decision Could Hinder Citizen Suits, Attys Say,” *Law360*, May 18, 2023.
- Quoted, “‘Preparation, Preparation, Preparation’: How Smaller Tech Companies Can Mitigate Climate Disclosure Rules,” *Corporate Counsel*, March 16, 2023.
- Quoted, “Energy Cos. Will Bear Brunt of SEC’s Climate Disclosure Rule,” *Law360*, March 23, 2022.
- Quoted, “Driller Risks Persist As More Oil & Gas Wells Shut Down,” *Law360*, March 30, 2020.