

James Beers, Jr.

Partner

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Drawing on more than a decade of experience as an environmental prosecutor at the U.S. Department of Justice, James provides valuable insight and strategic advice to clients involved in complex environmental matters across the U.S., including air, water, waste, and contaminated site issues.

OVERVIEW

James represents clients on all aspects of environmental law and related disputes, from rulemakings and compliance counseling to government investigations, incident response and internal investigations, enforcement actions, and high-stakes environmental litigation. Throughout his career, he has addressed air, waste, and contaminated site issues in a wide variety of industries, including the energy, chemical, transportation, real estate, water and wastewater treatment, and recycling industries, among others. James also has represented local municipalities and state agencies in complex environmental disputes.

Before joining the firm, James served for more than 13 years with the Environmental Enforcement Section of the U.S. Department of Justice (DOJ). As a senior trial counsel for the DOJ, he played a leading role in the most extensive enforcement initiative ever undertaken under the Clean Air Act. In that capacity, James was lead counsel on several of the largest and most high-profile enforcement actions in the U.S. He has managed every aspect of complex environmental litigation and led large teams through successful, multiweek trials with billions of dollars at stake.

In addition to his litigation experience, James has significant experience addressing compliance and permitting issues and negotiating settlements relating to a wide array of manufacturing industries throughout the U.S. Although his experience has involved cases arising under all major environmental statutes, James primarily focuses his practice on air, waste, and contaminated site (CERCLA) issues. His Clean Air Act experience spans all of the major programs (NSR, NSPS, NESHAP, Regional Haze, RMP and General Duty Clause, Title V, and EPA's HFC rules). James also has extensive experience working on cutting-edge issues relating to emerging contaminants such as PFAS. During his public service career, James earned more than a dozen awards for his case work, including numerous DOJ special achievement awards, as well as Bronze and Silver Medals from EPA.

REPRESENTATIVE MATTERS

- Conducted internal investigation relating to Clean Air Act compliance issues for multiple building materials manufacturing facilities.
- Represent a California state transportation agency in connection with Clean Water Act Section 404 investigation

and settlement negotiations involving EPA, the U.S. Army Corps of Engineers, and several California state resource agencies, including the California Department of Fish & Wildlife and the Regional Water Quality Board.

- Represent a large AI data center client in connection with high-profile Clean Air Act permit appeal and related citizen suit proceedings in Memphis, TN.
- Represent an oil and gas company in DOJ enforcement action and settlement negotiations relating to alleged Clean Air Act Risk Management Program and General Duty Clause violations at multiple refineries and chemical plants.
- Represent a wastewater treatment utility in CERCLA cost recovery and tort litigation relating to PFAS contamination.
- Represent a wastewater treatment company on multiple significant matters arising under Clean Air Act NESHAP (BWON) and NSPS (QQQ) programs relating to work at refineries.
- Represent a retail fuel supply company in statewide district attorney investigation and settlement negotiations relating to alleged hazardous waste, hazardous materials business plan, and underground storage tank issues at fuel stations in California.
- Represented a health care company in connection with EPA investigation and settlement negotiations relating to alleged Clean Air Act Risk Management Program violations at manufacturing facility in Puerto Rico.
- Advised a swimming pool treatment chemical manufacturer on emergency response activities and federal, state, and local investigations related to a high-profile chemical plant incident at a Georgia facility. On-site response activities including interfacing with officials from EPA, the Chemical Safety Board, OSHA, and local fire department officials, among others.
- Represented a chemical manufacturing facility in connection with EPA Clean Air Act and RCRA investigations and related settlement negotiations, as well as state waterway permit appeal proceedings.
- Provide compliance counseling to real estate developers and investors relating to implementation issues associated with EPA's Clean Air Act HFC Transition rules.
- Provide ongoing compliance counseling to chemical manufacturers and health care companies under the Clean Air Act's Section 112(r) Risk Management Program.
- Assisted multiple clients and trade associations in providing comments on EPA GHG rules addressing the use of HFCs in new refrigeration and HVAC systems.
- Advised a large automaker on Clean Air Act issues relating to TSCA pre-manufacture notice proceedings with EPA relating to electric vehicle battery manufacturing plant.
- Represented a group of more than 70 companies in CERCLA litigation, allocation, and settlement proceedings relating to the Lower Passaic River in New Jersey, part of one of the largest Superfund Sites in the nation.
- Represented a tire manufacturer in CERCLA contribution litigation relating to Ohio landfill.
- Lead counsel for successful liability and remedy trials as part of Clean Air Act enforcement action against a *Fortune* 500 energy company in Missouri.
- Lead counsel in consent decree negotiations relating to copper smelter in Arizona. The settlement addressed novel compliance issues arising under the NESHAP and Title V provisions of the Clean Air Act.
- Lead counsel in litigation and consent decree negotiations addressing multiple power plants in Alabama.
- Lead counsel in a first-of-its kind-settlement for Clean Air Act claims based on the collateral emissions impact of installing pollution control equipment at power plant in Kentucky.
- Represented the U.S. in first Clean Air Act/New Source Review case filed as part of cement industry enforcement initiative.
- Represented the U.S. in complex CERCLA litigation relating to perchlorate and TCE contamination of groundwater in Rialto and Colton, CA.
- Lead counsel in settlement negotiations relating to alleged Clean Air Act violations (NSPS, NSR, and Title V) at a sulfuric acid plant located in Alabama.
- Lead counsel for the government during investigation and allocation phases of multiparty CERCLA negotiations relating to Onondaga Lake Superfund Site in Syracuse, NY.

- Lead counsel in settlement negotiations relating to a chemical manufacturing facility in South Carolina. The case was one of the first involving alleged violations of the Pharmaceutical and Pesticide MACT provisions of the Clean Air Act, as well as RCRA and Clean Water Act claims.
- Represented EPA in CERCLA litigation relating to a former uranium mine in New Mexico.

AWARDS

- *Legal 500 United States: Environment: Regulatory (2025)*

TOP AREAS OF FOCUS

- Air Quality + Climate Change
- Contaminated Sites + Waste Management
- Data Centers
- Environmental + Natural Resources
- Environmental Litigation + Enforcement Defense
- Litigation + Trial
- Oil + Gas
- PFAS + Emerging Contaminants
- Regulatory Investigations, Strategy + Enforcement
- Water Quality + Water Resources

PROFESSIONAL/COMMUNITY INVOLVEMENT

- President, Gunston Soccer Club

EDUCATION AND CERTIFICATIONS

EDUCATION

- William & Mary Law School, J.D., 2001, *William & Mary Law Review*
- University of Virginia, B.A., 1996

BAR ADMISSIONS

- District of Columbia
- Virginia

CLERKSHIPS

- Hon. James C. Fox, U. S. District Court, Eastern District of North Carolina

LANGUAGES

- Spanish

SPEAKING ENGAGEMENTS

- 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.
- Speaker, “Clean Air Act Legal Update,” 2024 AAPCA Fall Business Meeting, August 28-30, 2024.

PUBLICATIONS

- Co-author, “Power Generation, Transmission & Distribution 2025,” *Chambers Global Practice Guides*, August 2025.

MEDIA COMMENTARY

- Quoted, “Troutman Pepper Adds New Enviro Partner in D.C.,” *Law360*, November 16, 2023.
- Quoted, “St. Louis Judge Holds Fate of Pollution Controls at Two Area Ameren Coal-fired Power Plants,” *stltoday.com*, April 15, 2019.
- Quoted, “EPA Tells Judge Why Ameren Should Install New Pollution Controls at Plant Near Festus,” *stltoday.com*, August 22, 2016.