

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, enforcement actions, and high-stakes environmental litigation. Throughout his career, he has addressed air and waste issues in a wide variety of industries, including the energy, transportation, mining, chemical, wood products, real estate, water and wastewater treatment, and battery 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 and waste 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

- Represent a California state agency in responding to a CWA Section 404 investigation initiated by 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.

- Assisted a *Fortune* 500 health care company in connection with an EPA Clean Air Act Risk Management Program investigation for a facility in Puerto Rico.
- Advised a swimming pool treatment chemical manufacturer in connection with 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.
- Represent a wastewater treatment utility in assessing PFAS issues arising in private litigation and under new EPA drinking water and CERCLA rules.
- Provide compliance counseling to real estate developers and investors relating to implementation issues associated with EPA's Clean Air Act HFC Transition rules.
- Represent wastewater treatment utility relating to EPA NOV addressing benzene and VOC emissions at oil refinery under Clean Air Act's NESHAP and NSPS programs.
- Provide compliance counseling to a chemical manufacturer under the Clean Air Act's Section 112(r) Risk Management Program.
- Represent a client in multicounty district attorney investigation of alleged hazardous waste and underground storage tank issues at fuel stations in California.
- 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 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.
- Co-counsel in first Clean Air Act/New Source Review case filed as part of cement industry enforcement initiative.
- Co-counsel 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 a natural resource damage case relating to the grounding of a vessel within the boundaries of the Dry Tortugas National Park in Florida.
- 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.
- Represented Anheuser-Busch in litigation involving tort and contract claims asserted by former beer distributorship in Florida.

AWARDS

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

TOP AREAS OF FOCUS

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