



SpencerFane®

## Jessica Merrigan



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### BIOGRAPHY

Jessica Merrigan counsels clients on environmental matters regarding regulatory requirements and represents them in litigation of environmental claims, including contribution claims under the federal Superfund law. She has significant experience helping clients in administrative negotiations with both the Environmental Protection Agency and state agencies, advises them on additional or equivalent state law requirements, and assists clients with facility audits, compliance initiatives and waste reduction programs.

Throughout her career, Jessica has worked with clients to monitor the ongoing changes in chemical regulations and implement programs to manage evolving state, local and federal requirements for chemical management, disclosure and research.

Jessica also helps clients with environmental issues involved in property redevelopment and real estate transactions. Her work includes review of environmental assessments, evaluation of potential environmental liabilities associated with real estate transactions including those created by CERCLA, and evaluation of eligibility for federal and state Brownfields assistance programs. In addition, she works with clients to transfer and maintain permits, through the completion of appropriate plans and applications and coordination with responsible agencies. Her experience has included national, regional and local projects ranging from single site sales to transactions involving hundreds of millions and up to \$2 billion in assets.

Highlights of Jessica's experience include:

- Negotiated Consent Decree resolving company-wide enforcement by U.S. Department of Justice under Clean Air Act Risk Management Program, including negotiation of Supplemental Environmental Project and limited audit program.
- Represented client in successful allocation to support performance of \$50+ million Superfund cleanup including cash out settlements and negotiation of performing party agreements.
- Representing client in resolution of environmental liability to support wrap up of multi-state oil recycling business, including management of RCRA permitted remediation, state tank and voluntary cleanup program processes and negotiation of property sales.

To view additional experience, click [here](#).

### PRESENTATIONS AND PUBLICATIONS

- Speaker, The Long Road to Superfund Reform, 2018 ABA Section of Energy & Environment Resources Annual Conference, San Diego, CA, October 2018

### PRACTICE AREAS

- [Environmental Law](#)
- [Oil and Gas](#)
- [Local Government Land Development Regulation](#)
- [Redevelopment and Environmentally Impacted Real Estate](#)
- [Mergers & Acquisitions](#)

### INDUSTRIES

- [Energy](#)
- [Manufacturing](#)
- [Oil and Gas](#)
- [Waste Management](#)

### EDUCATION

- Washington University School of Law, 2003 (J.D.)
- University of San Diego, 2000 (B.A. Chemistry)

### BAR ADMISSIONS

- Kansas
- Missouri

### COURT ADMISSIONS

- U.S. District Court for the District of Kansas
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Western District of Missouri

- Moderator, *Environmental Health & Safety Best Practices*, 2018 Midwest Environmental Compliance Conference, Kansas City, MO, April 2018
- Co-author, "Safe(r) Communications in the Age of Transparency," *Power Engineering Magazine*, August 2016
- Co-Speaker, *EPA Inspections*, 2016 Storm Water Seminar, July 2016
- Speaker, *Safe(r) Communications in the Age of Transparency*, Midwest Environmental Compliance Conference, May 2016
- Speaker, *TSCA Reform*, Midwest Environmental Compliance Conference, May 2015
- Speaker, *Current Issues in Storm Water Regulation*, presented by Lorman Education Services, November 2012
- Faculty, CERCLA Private Cost Recovery: How Courts are Directing Traffic Five Years After Atlantic Research, ALI-ABA, April 2012
- Speaker, Environmental Issues in the Foreclosure Process, Missouri Foreclosures and Workouts, presented by NBI, April 2012
- Author, "Green Chemistry and Beyond: The Changing World of Chemical Regulation," *Associate Industries of Missouri*, October 2010
- Co-author, "Environmental Insurance," *New Appleman on Insurance Law Library Edition*, Chapter 27, October 2010
- Panelist, *Landfill Gas Migration*, 2009 Missouri Waste Control Coalition Conference, June 2009
- Speaker, *Going Beyond Due Diligence*, Kansas Environmental Conference, August 2008
- Speaker, *RCRA Compliance and Waste Reduction*, Missouri Chamber Conference at the Lake of the Ozarks, July 2008
- Speaker, *Industrial Storm Water Compliance*, Missouri Waste Control Coalition Conference, June 2008
- Speaker, *Environmental Risk Management*, Associated Industries of Missouri Midwest Region Conference, April 2008
- Co-author, "Understanding Environmental Insurance," *Appleman on Insurance Law and Practice*, 2nd ed. Matthew Bender & Company, Inc., 2008
- Speaker, *Environmental Issues in Property Development*, Mastering Land Use and Planning Processes presented by the National Business Institute, January 2008
- Speaker, Overview of Storm Water Regulations; Storm Water Enforcement; Responding to Enforcement Actions; Recent Trends in Storm Water Enforcement; and Hot Issues, *Current Issues in Storm Water Regulation Seminar* presented by Lorman Education Services, May 2007 (Missouri), September 2005 (Missouri), September 2005 (Kansas)
- Speaker, *Environmental Issues in Commercial Lending*, Overview of Commercial Real Estate Requirements presented by Lorman Education Services, 2006
- Speaker, *Environmental Issues in Real Estate Transactions*, Fundamentals of Real Estate Closings presented by Lorman Education Services, March 2005

## COMMUNITY INVOLVEMENT

- The Surplus Exchange, Board Co-Chair 2018-present, Board member 2016-present
- MARC Head Start Advisory Board, 2011-2017

## MEMBERSHIPS

- Advisor to American Law Institute Continuing Legal Education
- KCMBBA Environmental Committee, Vice-Chair, 2010-2012
- Member, KCMBBA Blue Ribbon Panel on Civility in Legal Practice
- Missouri Waste Control Coalition, Advisory Board 2010-11, Director, 2011-2013
- American Bar Association, Section of Environment, Energy and Resources
- Association of Women Lawyers, Kansas City

## DISTINCTIONS

- *Chambers USA*, Missouri Environmental, 2016 – 2018
- *The Best Lawyers in America*®, 2016-2020
- National Law Journal's "Top 50 Energy & Environmental Trailblazers", 2015
- *KC Business Magazine's* "Rising Stars", 2015

- *Missouri & Kansas Super Lawyers*®, “Rising Stars”, 2008-2017
- *Missouri Lawyers Weekly*’s “Up & Coming” award, 2012
- *Kansas City Business Journal*’s “Best of the Bar”, 2010-2012

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Click [here](#) to connect with Jessica on LinkedIn.