SpencerFane®

Jason A. Flower

Partner

Contact

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Overview

Jason Flower is an environmental attorney with a nationwide practice focused on assisting corporate clients, especially in the chemical, manufacturing, mining, energy, and agricultural industries, with managing their environmental liabilities. Previously serving as the Environmental Practice Group Chair at an AmLaw 100 firm, Jason takes a team-oriented approach to helping clients strategically navigate an increasingly complex environmental regulatory landscape.

Over his career, Jason has helped clients assess their prospective risks and defended clients in judicial and administrative environmental enforcement actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Water Act (CWA), Resource Conservation and Recovery Act (RCRA), Toxic Substances Control Act (TSCA), Emergency Planning and Community Right-to-Know Act (EPCRA), and various analogous state environmental laws.

Jason regularly helps clients manage legacy liabilities at contaminated sites, whether under Superfund / CERCLA or similar state regulatory regimes. Jason works with regulators, including EPA and state agencies, and technical teams to assist clients with securing cost-effective and environmental protective remedies for contaminated sites. In this capacity, Jason negotiates Consent Decrees and administrative settlements / orders with the government and also represents clients in high-profile, high-stakes cost recovery and contribution disputes.

Additionally, Jason represents clients in environmental toxic tort litigation related to contaminated sites, including personal injury and property damage lawsuits.

Jason completed his undergraduate studies at the University of Missouri-Columbia School of Journalism and earned his Juris Doctor from Washington University in St. Louis School of Law where he was a member of the Order of the Coif and served on the *Washington University Law Quarterly*.

Education

- Washington University School of Law (J.D.)
- University of Missouri (B.J.)

Bar Admissions

- Illinois, 2003
- Missouri, 2002

Court Admissions

- U.S. Supreme Court
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Southern District of Illinois

Distinctions

- *Best Lawyers in America*, 2024-2027
  - Environmental Law
  - Litigation – Environmental
- *St. Louis Small Business Monthly,* Top 100 St. Louisans to Know to Succeed in Business, 2026

Related Experience

- A Fortune 500 chemical manufacturer needed help negotiating with the government over landfill cleanups at two Superfund sites in Sauget, Illinois. In a complex process, Jason provided overall site strategy advice and counseling, including managing and participating in primary responsible party (PRP) groups, negotiating settlements and allocations, and assisting with technical submissions. The final result was sensible remedies that were pragmatic and feasible for the client and environmentally sound for the government. The negotiations are ongoing for the second site.
- Represented phosphate mining industry clients in ongoing discussions with the EPA on groundwater remediation at elemental phosphorous manufacturing site in southeast Idaho.
- Represented Fortune 500 chemical manufacturing clients as plaintiffs in high-profile cost-recovery action regarding contamination in Anniston, Alabama. The defendants have incurred approximately $40 million addressing residential contamination.
- Represented plaintiffs in trial regarding contamination migrating off MEW site in Cape Girardeau, Missouri.
- Advised Fortune 500 chemical manufacturing client on steering committee for potentially responsible parties (PRP) group at former deep-well disposal facility in Texas City, Texas. U.S. Record of Decision at the site chose the PRP group's preferred remedy, and the group negotiated a remedial design and remedial action consent decree. PRP group recovered more than $14 million from nonparticipating parties without filing a lawsuit.
- Helped clients respond to and manage cleanup efforts and address potential risks related to groundwater and vapor intrusion at trichloroethylene sites, successfully minimizing business interruptions arising from environmental investigations and protecting client business interests.
- Coordinated successful strategy to persuade EPA to abandon proposed rule that would have required hardrock mining industry to secure $7 billion in financial assurance.

- Represented refining and chemical company in litigation over purchased facility's Clean Air Act compliance.
- Defended clients against alleged violations of Clean Water Act, including defining and implementing wetlands mitigation project.
- Defended oil refining company regarding alleged petroleum hydrocarbon contamination in Madison County, Illinois. The plaintiffs agreed to dismiss multiple personal injury cases because of lack of product exposure.

Clerk Experience

- Hon. Harriet O'Neill, Texas Supreme Court