



Jason B. Hutt

Partner

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About Jason

Jason Hutt, chair of the firm's environment, resources and lands department, advises and defends clients with a deep appreciation of the high-profile and complex environmental and energy issues of our day. His advice and advocacy are informed by a technical understanding for how energy and key industrial sectors operate as well as an acumen for the challenges Bracewell's clients must navigate to achieve their business objectives.

His enforcement defense work includes administrative, civil and criminal matters (including internal investigations) related to the federal and state agencies governing energy and environmental matters, including the Environmental Protection Agency (EPA), Department of Interior (DOI), Department of Energy (DOE), Consumer Financial Protection Bureau (CFPB), Department of Justice (DOJ), and state Attorneys General. Jason has served as the lead lawyer on matters central to the EPA's national enforcement initiatives on environmental justice, wetlands, air, major incidents and wastewater discharge.

His recent work includes a "ground zero" litigation action initiated by EPA against the only Neoprene manufacturer in the United States; representing responders in the National Transportation Safety Board's (NTSB's) investigation and civil litigation arising from the 2023 train derailment in East Palestine, Ohio; representing a major chemical, midstream pipeline, and upstream oil and gas companies in the negotiation and implementation of consent decrees with EPA, DOJ and the relevant state agencies; litigation and appellate work against the California State Lands Commission on behalf of a trust; and representing a key creditor in the implementation of a Turnkey Removal Agreement created as a result of the high-profile, precedent-setting Fieldwood Bankruptcy where more than \$9 billion in decommissioning liabilities were at issue, among others. He previously served as the lead outside environmental lawyer for Halliburton in the federal investigation of the Deepwater Horizon oil spill. In providing strategic advice and advocacy for clients, Jason draws upon his experience with and relationships within federal agencies. Jason is also a key member of Bracewell's incident response and internal investigation teams for matters subject to the jurisdictional reaches of these agencies.

Jason's experience and perspective inform his advice to project developers, debtors, investor groups and financial institutions focused on the business implications of various policy initiatives as well as the environmental risks and liabilities associated with transactions. His thoughts on legal and policy matters are regularly reflected in the mainstream media and trade publications covering energy and environmental issues.

Recent Notable Matters

Sable Offshore Corp. — purchase from Exxon Mobil Corporation of the Santa Ynez field in Federal waters offshore California and associated onshore processing and pipeline assets, including pipeline assets acquired by Exxon Mobil from Plains Pipeline L.P. and the merger with Flame Acquisition Corp., a special purpose acquisition entity

Competitive Power Ventures — acquisition of the Canton Mountain, Saddleback Ridge, Spruce Mountain and Beaver Ridge wind projects in Maine from Patriot Renewables

Upstream operator — multiyear investigation, disclosure and resolution of potential criminal and civil violations of Sections 402 and 404 of the Clean Water Act and related state statutes in the Marcellus and Eagle Ford plays

Electroplating manufacturer — criminal investigation of potentially unpermitted discharges arising under federal, state and local laws

Oilfield services company — multiyear EPA investigation and Clean Air Act enforcement action, from the issuance of information requests up through the settlement phase, including implementation of the Supplemental Environmental Project

Halliburton Energy Services, Inc. — various investigations that arose from the Deepwater Horizon incident, including President Obama's Special Task Force, the U.S. Congress, and the CSB. Bracewell's team brought the matter to a very successful resolution for Halliburton – one that included no criminal charges related to the explosion, the oil spill, or the environmental impacts.

Upstream Operator — Consent Decree negotiations arising from an investigation and voluntary disclosure of Clean Water Act and state statute violations

Independent Terminal Operator — permitting strategy and shared facilities arrangement for air, water and waste authorizations for bifurcated facilities in multiple states

The Sterling Group — The acquisition, operation and divestiture of a middle market private equity firm's portfolio companies. Recent work included serving as lead environmental counsel in: acquiring the U.S. domestic assets of a European designer and manufacturer of trailer axles, trailer and caravan components, and chassis and motorized chassis, with more than 20 locations around the world; acquiring several bathwarerelated businesses across the U.S. in supporting the formation of the American Bath Group; and divesting a company that specializes in providing fully operated and maintained crane services, heavy rigging and specialty hauling services.

Cabot Oil & Gas Corporation — defended against the Department of Interior's Office of Natural Resources Revenue allegations of knowing or willful violations of FOGPMA relating to the payment of royalties

Baker Hughes Incorporated — multi-year negotiation and implementation of an Administrative Settlement Agreement and Order on Consent (ASAOC) for the investigation of a Superfund site in Missouri. Several federal agencies were involved in the negotiations, including the U.S. Forest Service, the USDA and the DOJ.

Underground Injection Control well owners — seismicity investigations, litigation and enforcement in Oklahoma and Texas

Delek Logistics — regulatory and commercial agreement aspects of joint ventures to develop 107-mile and 80-mile crude oil pipelines

Independent oil and gas company — represented before federal agencies in relation to alleged drinking water contamination, private nuisance claims and federal/state investigations and enforcement

Western Refining Logistics, LP — representing the Conflicts Committee of the Board of Directors of the general partner of Western Refining Logistics, LP in its merger with Andeavor Logistics LP in a unit-for-unit transaction valued at \$1.8 billion

Venoco, Inc. and its affiliated debtors in possession — Chapter 11 petitions in the U.S. Bankruptcy Court for the District of Delaware to restructure their debt obligations and capital structure and its affiliates Denver Parent Corporation, TexCal Energy (LP) LLC, Whittier Pipeline Corporation, TexCal Energy (GP) LLC, Ellwood Pipeline, Inc., and TexCal Energy South Texas, L.P.

Publications and Speeches

Co-author, “Gorsuch May Further Tip Balance Against Deference To EPA,” *Law360*, February 14, 2017.

Co-author, “President Trump’s SCOTUS nominee, Judge Neil Gorsuch, suggests a weakening of the Chevron Doctrine with less deference to rulemaking efforts from EPA, DOI and other federal agencies,” *Oil & Gas Financial Journal*, February 10, 2017.

Presenter, “Energy and Environmental Policy – What to Expect During the New Administration,” SLR Consulting Joint Global, Refining and Upstream Issues Forum, February 9, 2017.

“DOT Site Security Plans: Potential Application to Pipeline as Offerors,” *Pipeline & Gas Journal*, September 2016.

“From Shale to Sail: Production, Transportation, and Export of U.S. Oil & Gas,” *American Bar Association Section of Environment, Energy, and Resources’ Spring Conference*, Austin, April 1, 2016.

“Drilling for Solutions: The Future of Fracking,” *Vermont Law School*, March 18, 2016.

“EPA’s Next Generation Enforcement Initiative: What It Means for the Next Generation of Environmental Auditing,” *Auditing Roundtable Webinar*, October 7, 2015.

“EPA’s Clean Water Rule: Significant Impacts to Marcellus Gas Extraction and Transmission,” *The Marcellus Shale Coalition*, Harrisburg, PA, June 23, 2015.

“The BP Oil Disaster Five Years Later,” *The Diane Rehm Show*, NPR, April 20, 2015.

“Disclosure 2.0: Enter EPA’s E-Disclosure Audit Program,” *Law360*, June 16, 2015.

“BLM’s Final Fracturing Rule Outlines More Public Land Regs,” *Oil & Gas Journal*, June 11, 2015.

“Environmental Issues in Energy Production: Overview of Federal Developments,” *American Law Institute*, Washington, D.C., February 5, 2015.

“Fracking in Europe - EU Parliament Votes to Require Environmental Impact Assessments for Shale Gas Developments,” *Oil & Gas Financial Journal*, October 2013.

“Environmentally Speaking,” *Review of Shale Development, Energy and Mining Magazine*, August 6, 2013.

“Drilling & Fracking: Who Regulates?” *The Federalist Society Podcast*, July 12, 2012.

“Unleashing Potential: Finding the Best Regulatory Environment to Boost Responsible Natural Gas Production,” *National Journal LIVE/American Chemistry Council Policy Summit*, Washington, D.C., March 20, 2012.

“DOE’s Final Report on Shale Gas: Where Do We Go From Here?” *Trends, ABA Section of Environment, Energy and Resources Newsletter*, January/February 2012.

Education

Vermont Law School, J.D.
1998 – *magna cum laude*

Colgate University, Bachelor of Arts
1995

Certifications

United States Coast Guard, Operator of Uninspected Passenger Vessel (OUPV) License

Noteworthy

Chambers USA, District of Columbia Environment, 2020 - 2023

The Legal 500 United States, Environment: Litigation, 2013 - 2023; Environment: Regulatory, 2016 - 2023;
Environment: Transactional, 2016 - 2023; Finance: Restructuring (Including Bankruptcy): Corporate, 2023;
Energy: Litigation, 2013 - 2016

BL Rankings, *Best Lawyers*, Energy Regulatory Law, 2023 - 2024; Litigation - Environmental, 2024

Lawdragon Inc., *Lawdragon Green 500: Leaders in Environmental Law*, Environmental Law, Especially Investigations, Litigation, 2024

Lawdragon Inc., *Lawdragon 500 Leading US Energy Lawyers*, Energy and Environmental, 2024

Thomson Reuters, *Washington, DC Super Lawyers*, Environmental and Natural Resources, 2013 - 2020, 2022 - 2023

Law Business Research Ltd., *Who's Who Legal*, Environment Global Leader, 2023

Vermont Law School, *The Vermont Law Review*, Associate Articles Editor, 1997 - 1998

Affiliations

The Vermont Law School, Member, Board of Trustees, 2009 - 2015; Representative, National Alumni Association, 2007 - 2016

American Bar Association, Energy and Environmental Law Section

Women's Council on Energy and the Environment

Bar Admissions

District of Columbia
New York

Languages

Conversational Spanish