

PRACTICE AREAS:

[Energy](#)

[Environmental](#)

[Litigation](#)

[Shale Gas](#)

STATE ADMISSIONS:

Pennsylvania

COURT ADMISSIONS:

U.S. District Court for the
Western District of Pennsylvania

EDUCATION:

J.D., cum laude, University of
Pittsburgh School of Law, 2006;
Editorial Board, *Law Review*;
Certificate of Advanced Study in
Environmental Law, Science and
Policy

B.S., with distinction and highest
honors, University of North
Carolina at Chapel Hill, 2003



Jessica Sharrow Thompson

MEMBER

Jessica Sharrow Thompson provides counseling and litigation representation in connection with the many federal, state, and local environmental laws and regulatory programs. She also assists clients in connection with oil and gas development issues in the Marcellus Shale, including environmental permitting, compliance, and enforcement actions. Additionally, Jessica assists clients in transactions involving environmental issues.

REPRESENTATIVE MATTERS

- Assisted with developing air-related performance standards for the natural gas industry for a non-profit organization composed of natural gas industry representatives and non-governmental organization.
- Counseled a non-profit organization with regard to establishing a certification program for performance standards in the natural gas industry.
- Advises clients on compliances issues under the Clean Air Act (CAA), Clean Water Act (CWA) and the Resource Conservation Recovery Act (RCRA) and analogous state programs, including representing clients in enforcement actions under such laws.
- Counsels clients with regard to toxics, cost-recovery and brownfields issues, including the Emergency Planning and Community Right-to-Know Act (SARA Title III), the Toxic Substances Control Act, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Pennsylvania's Land Recycling Program (Act 2).
- Extensive experience in analyzing RCRA and corresponding state hazardous waste regulations with respect to whether secondary materials are considered to be wastes under the various rules.
- Advises clients on whether their materials and/or processes qualify for the various recycling exclusions to the definition of solid waste.
- Advise clients with respect to their process operations under Pennsylvania's Residual Waste program to determine potential permit requirements, co-product applicability, permit-by-rule status and whether the process is a non-regulated activity.
- Assists clients with voluntary self-disclosures of

environmental violations under both federal and state programs.

- Defends clients in CERCLA cost recovery actions, including the successful defense of parent corporations potentially subject to veil-piercing theories in such actions.
- Defends clients in environmental citizen suits, including the successful representation of a steel client in a motion to dismiss utilizing the diligent prosecution bar.
- Performs environmental due diligence, assists with environmental permit transfers and drafts and negotiates contract provisions in order to allocate any environmental risk according to the intent of the parties.

PROFESSIONAL AFFILIATIONS

- Allegheny County Bar Association
- Air & Waste Management Association

AWARDS AND RECOGNITION

- Selected by *Pittsburgh Business Times* for inclusion in "Who's Who in Energy" for 2016 and 2017

NEWS AND INSIGHTS

PUBLICATIONS

- "[Fracking and the Rule of Capture](#)," Pratt's Energy Law Report, October 2018.

MEDIA COVERAGE

- "Chicago Health Department Examines Rust-Colored Stains Linked to Manganese," Chicago WTTW (PBS), August 24, 2017.
- Appeared on WTTW's Chicago Tonight to discuss story "'Durbin to CDC: Investigate Manganese Risks on Chicago's Southeast Side" July 31, 2017.
- "Pa. Supreme Court's landmark environmental ruling faces first test," *State Impact-NPR*, June 27, 2017.
- "Release of Air Monitoring Data Renews Call for Chicago Manganese Ban," Chicago WTTW (PBS), June 27, 2017.

SPEAKING ENGAGEMENTS

- "Pennsylvania's Environmental Rights Amendment: What All PA Practitioners Should Know," presenter, Eckert Seamans' Continuing Legal Education Seminar, August 2018.
- "Regulatory Developments in Natural Gas Extraction from the Appalachian States," Eckert Seamans' Progressive Development Briefing, February 7, 2014.
- "Mineral Rights Law: What's Happening Now?" co-presenter, *What You Need to Know About Mineral Law NOW*, National Business Institute, February 2013.

- "Negotiating Key Contract Provisions," co-presenter, *Fracking Law Seminar*, National Business Institute, August 2012.
- "Mineral Rights Law: What's Happening Now?" co-presenter, *Mineral Rights: What you Need to Know NOW!*, National Business Institute, December 2011.
- "Clean Air Law and Emerging Developments," co-presenter, Clean Air Law and Emerging Issues teleconference, National Business Institute, July 2010.