

Paul M. Bohannon



Partner

Waterway Plaza Two
10001 Woodloch Forest Dr.,
Suite 200
The Woodlands, TX 77380
P: 713.220.4193
F: 713.238.7180
pbohannon@andrewskurth.com

Paul's environmental experience dates back to 1975. His principal focus is on contested matters. His jury experience includes sewer discharges, ambient air releases, groundwater contamination, surface water contamination and landfill matters.

He has substantial jury experience in enforcing environmental indemnities, having secured a \$61,000,000 jury award on behalf of his corporate client (consisting of \$50,000,000 punitive damages and \$10,000,000 actual damages) for fraudulent inducement in the contractual context on the sale of a pipeline, which amount was netted in settlement to \$57,000,000. He also has enforced over a billion dollars of environmental insurance contracts. His litigation includes oil and gas frac issues, riverine and estuarine environments, as well as various habitat issues. In the groundwater context, he has successfully defended and prosecuted JP-4, gasoline, crude oil and other claims.

He has worked with ASTM committees in the development of environmental standards, and served as a panelist for the Lovelace Inhalation Toxicology Institute. He has defended efforts to secure cohort studies in toxicology disputes, challenged many rulemakings, and served as industry counsel in national rulemaking measures, leading negotiations at the headquarters level.

PUBLICATIONS

- Top 10 Do's & Don'ts of Environmental Crisis Response *Law 360* (June 8, 2010)
- EPA Issues Final "Tailoring" Rule for Greenhouse Gas Emissions (May 24, 2010)
- EPA Greenhouse Gas Reporting Rules Expanded to Oil and Gas, Enhanced Oil Recovery (March 31, 2010)
- Developing Frac Issues – Newly Proposed Completion Rules for Wyoming & Pennsylvania (March 29, 2010)
- EPA Rulemaking Hotline (March 3, 2010)
- EPA Issues New Renewable Fuels Standard (February 12, 2010)
- Stricter Smog Standards to Burden Municipalities and Industry (January 26, 2010)
- Increased Governmental Scrutiny on Oil and Gas Development (January 11, 2010)
- EPA Greenhouse Gas Reporting Starts January 2010 (November 16, 2009)
- EPA Moving Ahead with Regulation of Greenhouse Gases (September 25, 2009)
- "Is the Polluter Pays Principle All There is to Allocating Environmental Liability?" *37 BNA Environment Reporter 1870* (2006)
- "Polluters & Protectors: Combined Sewer System Authorities and Urban Waterway Restorations" *45 Natural Resources Journal 539* (2005)

INDUSTRIES

Administrative
Clean Technology
Energy Services
Government
Insurance
Manufacturing and Sales
Natural Gas
Oil and Gas
Real Estate
Solar Energy
State Regulatory
Wind Energy

PRACTICES

Climate Change and Carbon Markets
Environmental
Environmental Disputes, Contested Proceedings and Litigation
Environmental Litigation
Environmental Transactional Counsel
Litigation
Neutral Services in Environmental and Energy Dispute Resolution
Regulatory Agency and Environmental Experience
State Regulatory

EDUCATION

JD, 1975, Southern Methodist University Dedman School of Law, Order of the Coif
BA, 1972, Oklahoma State University, Dean's List

Paul M. Bohannon

- "Project Development & Finance: Environmental Permit Opinion" *Legal Opinion Letters Formbook, Jr. Aspen Publishers* (2003)
- "U.S. Environmental Protection Agency Policy: From the Beginning to the Millennium" *19 SETAC Environmental Toxicology & Chemistry 781* (2000)
- "Regulatory Compliance and Litigation Impacts for Pipelines" *Annual Oil & Gas Program, Railroad Commission of Texas* (1993)
- "Superfund and the Banking Industry" *Texas Bar Journal* (December 1987)

PROFESSIONAL RECOGNITION

- Multi-Million Dollar Advocates Forum
- Profiled as one of "Texas' Top Rated Lawyers" by *ALM* in Environmental (2012)
- Profiled as one of the leading Environmental lawyers in Texas, *Chambers USA: America's Leading Business Lawyers* (2005-2012)
- *The Best Lawyers in America*, Environmental Law (2010-2012)

BRIEFINGS, SEMINARS & SPEECHES

Seminar

- "Citizen Involvement Plans & Negotiation Techniques in Mongolia -- A Workshop," Conference on Environment and Human Rights, FK Norway and Center for Human Rights and Development, Ulaanbataar, Mongolia (2009)
- "Enforcing Environmental Indemnities," 55th Annual Program on Oil & Gas Law, Institute for Energy Law (2004)
- "Environmental Law in the Oil & Gas Industry," South Texas School of Law Annual Environmental Symposium (2002)

Speeches - "Environmental Regulation of Pipeline Rights-of-Way," Annual Convocation of the International Right-of-Way Association (1991)

Panelist - "Topical Conference on Traditional and Non-Traditional Air Contaminants," Lovelace Inhalation Toxicology Research Institute (1987)

AFFILIATIONS

- State Bar of Texas
- American Bar Association
- American Arbitration Association
 - Panel of Arbitrators & Mediators for Energy, Environment & Natural Resource Cases

PRESS RELEASES

- 54 Andrews Kurth Lawyers Named Best Lawyers in America 2012 (September 22, 2011)
- 49 Andrews Kurth Lawyers Named Best Lawyers in America 2011 (August 16, 2010)
- 46 Andrews Kurth Lawyers Named Best Lawyers in America 2010 (August 10, 2009)
- Andrews Kurth Receives High Rankings in Chambers USA Guide (June 25, 2007)

ADMISSIONS

Texas 1975

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Tenth Circuit

US District Court for the Northern District of Texas

US District Court for the Southern District of Texas

US District Court for the Western District of Texas

US Supreme Court

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- Andrews Kurth Adds to its 2005 Chambers USA Ranking (June 16, 2005)
- Texas District Court Judge Orders Shell Subsidiary to Pay EOTT Energy \$30 Million (September 3, 2003)
- Andrews & Kurth Represents Conoco and SRW in Project Finance Deal (November 30, 2000)