



**DAVIS
GRAHAM**

LUCAS C. SATTERLEE

COUNSEL

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EXPERTISE

Environmental Law, Natural Resources, Mining, Energy, Oil & Gas, Renewable Energy, Railroads, Unmanned Aerial Systems, and Public Lands

EDUCATION

University of Denver Sturm College of Law,
J.D., 2016
Miami University, B.A., 2012

ADMITTED IN

Colorado

Lucas Satterlee is counsel at Davis Graham & Stubbs LLP, whose practice focuses on environmental and natural resources law, including regulatory compliance, transactional work, and litigation and administrative proceedings, with an emphasis on assisting clients with matters involving hazardous substances/wastes, water quality, mining impacts, and related issues. He works for clients in various industrial and commercial sectors, such as mining, energy, manufacturing, construction, and real estate development.

Lucas regularly advises on regulatory compliance and permitting issues arising under a broad array of federal and state environmental and natural resource laws, including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), and the Clean Water Act.

Lucas has substantial experience and specialization in all aspects of CERCLA, also known as Superfund, and state equivalent cleanup programs. A significant component of his CERCLA practice involves remediation projects at legacy (inactive) hardrock mine sites

throughout the Western U.S., including some of the largest and most complex Superfund cleanups in the country. In this capacity, Lucas often works closely with his clients and their technical consultants, and oversight agencies, to facilitate compliant and cost-effective site cleanup strategies. This work also involves negotiating and drafting CERCLA administrative settlements/orders, consent decrees, and various contractual arrangements to facilitate remediation activities; defending and settlement of governmental cost-recovery demands, private-party contribution actions and complex cost allocations, and toxic tort litigation; and preparing environmental covenants, deed restrictions, conservation easements and other institutional control instruments for the protection of contaminated or remediated lands.

Lucas also counsels Davis Graham clients on various Clean Water Act and RCRA solid and hazardous waste compliance and permitting matters, including those associated with resource extraction industries, chemical manufacturing facilities, and construction sites. Lucas is particularly well-versed in navigating the regulatory framework for management and disposal of "special wastes" generated by mining

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and oil and gas activities, including those wastes that fall within the scope and limitations. “E&P” and “Bevill” exemptions under RCRA and the “petroleum exclusion” under CERCLA.

In addition, Lucas is experienced in representing clients on matters such as:

- Brownfield cleanup and redevelopment projects under Colorado’s voluntary cleanup program (VCUP), including projects that involve remediation and re-purposing of historical mining properties as recreational and open space areas.
- Environmental due diligence associated with corporate and real estate transactions.
- Clean Water Act compliance and liability issues associated with industrial and mining effluent discharge permits and construction-related stormwater.
- Defense of oil and gas operators in administrative enforcement proceedings before the Colorado Energy and Carbon Management Commission (ECMC) and U.S. Bureau of Land Management.
- Acquisition of public or private land, and obtaining permits or authorizations from federal land management agencies and local land use authorities, to facilitate or protect remediation projects.
- Permitting, and regulatory approval of various types of energy projects, such as wind, solar, oil and gas, and geothermal development.
- Advising on regulatory and contracting matters related to unmanned aerial systems (drones).

Lucas graduated from the University of Denver College of Law, where he obtained a Certificate in

Environmental and Natural Resources Law and focused his scholarship in this area.

During law school Lucas served on the *University of Denver Law Review*, and worked as an extern for the U.S. Department of Justice (Environment and Natural Resources Division) and the U.S. Department of Energy (Office of Energy Efficiency & Renewable Energy). He earned his B.A. from Miami University, including a degree in Environmental Science.

Lucas is a member of the Colorado Bar Association, where he currently serves on the Executive Council for the Environmental Law Section. He is also an active member of the Foundation for Natural Resources and Energy Law (FNREL), and the American Bar Association Section of Environment, Energy, and Resources (SEER) and its Superfund and Natural Resource Damages Litigation and Brownfields Transactions Committees.

Additionally, Lucas is involved with the DU College of Law Professional Mentoring Program, and the Big Brothers Big Sisters of Colorado youth mentoring program.

Lucas has written and presented on various environmental and natural resource-related topics, including in publications of the FNREL, the Environmental Law Institute, and various law review journals.

Articles & Presentations

- “Court Delivers Win for Legacy Mine Operator, Allocating 30% of CERCLA Response Costs to United States in Billion-Dollar Mine Cleanup”, FNREL, Mineral Law Newsletter, Vol. 39, No. 4 (2022)

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- “Obtaining Discovery from Federal Agencies Apart from Discovery under the Federal Rules of Civil Procedure”, FNREL, Natural Resources and Energy Litigation Special Institute (2022)
- “Trump Administration’s CWA Navigable Waters Protection Rule Takes Effect Across the U.S – Except in Colorado (For Now)”, FNREL, *Mineral Law Newsletter*, Vol. 37, No. 3 (2020)
- “EPA Issued COVID-19 Guidance for Superfund and Other Cleanup Sites,” Davis Graham Legal Alert, (2020).
- “U.S. Supreme Court Upholds Auer Agency Deference, with Some Limitations”, Davis Graham Legal Alert (2019)
- “Opportunities and Potential Issues with Agencies Using Technology,” *Washburn Law Journal* Symposium on Emerging Technology: Implementation and Regulation (2018)
- “Colorado’s New Flowline Rules Seminar,” Davis Graham Seminar (2018)
- “Clearing the Fog: A Historical Analysis of Environmental and Energy Law in Colorado,” 28 *Vill. Envtl. L.J.* 1 (2017)
- “Climate Drones: A New Tool for Oil & Gas Air Emission Monitoring,” 46 *Envtl. L. Rep. News & Analysis* 11,069 (2016), reprinted in *Best of ELI Publishing 2017*, The Envtl. Forum (2017)
- “Cautious Optimism: Renewable Energy in South Africa as a Sustainable Model for the Region,” 32 *J. Envtl. L. & Litig.* 213 (2017)
- “Injecting Earthquakes into the Energy Debate,” 34 *UCLA J. Envtl. L. & Pol’y* 221 (2016)
- “Shattered Nerves: Addressing Induced Seismicity Through the Law of Nuisance,” 46 *Envtl. L. Rep. News & Analysis* 10,326 (2016)
- “Crude Accounting: Applying an Equitable Accounting Remedy to Venting and Flaring on Federal Leases to Determine More Accurate Royalty Payments,” 64 *Oil Gas & Energy Q.* 441 (2016)
- “Pristine Solitude or Equal Footing? San Juan County v. United States and Utah’s Larger Bid to Assert Control Over Public Lands in the Western United States,” 92 *Denv. U. L. Rev.* 641 (2015)