

# Kentucky Journal of Equine, Agriculture, & Natural Resources Law

## "ENERGY & THE ENVIRONMENT: THE INTERPLAY OF REGULATIONS AND NATURAL RESOURCE LAW AND POLICY"

Energy—the Power of Regulation 8:30 a.m. – 11:45 a.m.

### **Maureen Carman, Esq. (moderator)**

Before practicing law in Versailles, Kentucky, Maureen Carman was Counsel at Wyatt, Tarrant & Combs, LLP in the Lexington, Kentucky office and was a member of the Firm's Mineral and Energy Practice Group. She concentrates her practice in the areas of surety, construction, creditor bankruptcy and mineral and energy law. The 2012 Recipient of the John L. McClaugherty Award for service to the Energy & Mineral Law Foundation ("EMLF"), Ms. Carman is a Past President of the EMLF (President, 2008-2009) and served as Chair of the Strategic Planning Committee for the 2008-2011 Plan. She has participated as a speaker and panelist on the topics of mining reclamation, surety bonding and law office management since 1980, chairing the 2011 Kentucky Mineral Law Conference.

### **Ken Gish, Jr., Esq., *Stites & Harbison, PLLC***

Ken is a member of the Environmental, Natural Resources and Energy Service Group where his practice focuses on electric utility regulation, renewable and alternative energy development, sustainability, complex facility permitting, hazardous waste remediation, compliance with regulatory requirements and environmental litigation. Ken routinely represents the firm's utility clients in matters before the Kentucky Public Service Commission. He counsels the firm's clients in all stages of the permitting process from application to appeals before administrative bodies and in state and federal court. Ken also assists clients in managing regulatory compliance matters arising from federal, state and local laws.

### **Karen Greenwell, *Wyatt, Tarrant, & Combs LLP***

With 25 years of legal experience in the mineral and energy industry, Ms. Greenwell has assisted coal, oil, gas and energy industry clients with all manner of transactions, including leasing matters, asset acquisitions and divestitures, corporate mergers and stock acquisitions, and bankruptcy sales. She is a frequent speaker and author for organizations such as the Energy and Mineral Law Foundation, the Rocky Mountain Mineral Law Foundation, the Institute for Energy Law, and the Conference of Government Mining Attorneys. Ms. Greenwell is a Trustee of the Energy & Mineral Law Foundation and a Fellow of the Institute for Mining and Mineral Research. She is also on the Advisory Board of the Institute for Energy Law.

### **Bruce Burcat, *Executive Director, Mid-Atlantic Renewable Energy Coalition***

Mr. Burcat is an attorney with over twenty years experience in the utility and energy regulatory fields. Mr. Burcat joined the Mid-Atlantic Renewable Energy Coalition as its Executive Director after serving for nearly fifteen years as the Executive Director of the Delaware Public Service Commission. In that capacity he was involved in all facets of utility regulation, including the restructuring of Delaware's electricity market and the reintroduction of integrated resource planning for Delaware's major electric utility. Mr. Burcat was deeply involved in the two-year process that resulted in the first purchase power agreement in the United States for the energy generated from an offshore wind farm that will be located off the coast of Delaware. While he served the Delaware Commission, he chaired its Consumer Energy Education Group. He also was a past Chair of the National Association of Regulatory Utility Commission's Staff Subcommittee on Executive Management.

**James Nicas, *Steptoe & Johnson PLLC***

Jim Nicas focuses his practice in the area of energy law. He is the former Director of Title and Pooling for CNX Land Resources and has significant oil and gas experience as an in-house landman in Appalachia, Alaska, the Gulf of Mexico, Texas, Oklahoma, New Mexico and the Rockies as well as other domestic areas. He is also a former Senior Landman for Exxon USA's Offshore Alaska Division and Atlantic Richfield Company in Oklahoma and Texas.

**Health and the Environment 1:30 p.m. – 5:15 p.m.**

**Prof. Michael Healy (moderator)**

After Professor Healy graduated from law school, he served as a law clerk for Judge Edward R. Becker of the U.S. Court of Appeals for the Third Circuit. He then practiced at Shea & Gardner, a law firm in Washington, D.C., in the areas of litigation and administrative law. Professor Healy then worked for three years in the Appellate Section of the Environment and Natural Resources Division of the U.S. Department of Justice in Washington, D.C. Professor Healy joined the College of Law faculty in 1990. He has served as a visiting professor at Coventry University, England, and as a Fulbright Scholar at Xiamen University, People's Republic of China.

**Ray Tucker, Kentucky State Beekeepers Association**

Mr. Tucker is the current President-Elect of the Kentucky State Beekeepers Association (KSBA). The KSBA is a volunteer-led, non-profit organization dedicated to beekeeping in Kentucky. It represents Kentucky's backyard, hobby, and commercial beekeepers and local beekeeping associations. The KSBA's main objectives include promoting legislation and assisting beekeeping as a local, state, and national industry and hobby, as well as to inform the public about the importance and contribution of honeybees to the welfare of all people.

**Marco Rajkovich, Esq., *Rajkovich, Williams, Kilpatrick, & True, PLLC***

Mr. Rajkovich concentrates his practice in the areas of mine safety and health, mineral and energy and administrative law. He represents coal operators in all facets of mine safety, including litigation, consultation and regulatory compliance. He is a Licensed Professional Engineer - Mining, a Licensed Professional Land Surveyor and Certified Underground Mine Foreman in Kentucky. Prior to his law career, he was with U.S. Steel Mining Company, Inc. serving in various positions in engineering as well as production. Marco is a 1977 graduate

of the University of Kentucky College of Engineering and a graduate of the University of Kentucky College of Law.

**Elizabeth Edmondson, Esq.,** *Director of Energy and Environmental Policy, The Council of State Governments*

After nearly two years as a sole practitioner, Ms. Edmondson accepted a position with The Council of State Governments. Founded in 1933, The Council of State Governments is our nation's only organization serving all three branches of state government. CSG is a region-based forum that fosters the exchange of insights and ideas to help state officials shape public policy. This offers unparalleled regional, national and international opportunities to network, develop leaders, collaborate and create problem-solving partnerships. Ms. Edmondson regularly publishes articles and blogs on the Council's website regarding important upcoming energy and environmental issues

**Joe Cain,** Kentucky Farm Bureau

Mr. Cain is currently the Director of the Commodities Division with the Kentucky Farm Bureau Federation. Additionally, Mr. Cain is the chairperson of the Water Management Working Group designed by the KFB to address current and future water management and conservation needs of not only the state of Kentucky but also the nation as a whole. The College of Law hosted Mr. Cain in April of 2015 to discuss these same issues of water quality and management.

**Lawrence Kogan, Esq.,** *Kogan Law Group, P.C.*

Lawrence Kogan possesses more than 25 years of international business and law experience counseling public and private clients on cross-border transactional, planning and policy matters, enabling recognition of the legislative, regulatory, policy, and trade and investment risks and opportunities their activities may engender. Since 2003, he has briefed U.S. industry and various U.S. federal agencies, executive offices and congressional committees concerning how emerging foreign environmental, health and safety, and intellectual property laws, regulations and technical product standards are impacting U.S. business' profitability, technological innovation and international competitiveness.