



## **Paul C. Sarahan**

Member

512.615.1215 Direct  
512.615.1198 Fax  
psarahan@enochkever.com  
enochkever.com

Paul Sarahan focuses his practice on environmental, safety, and transportation issues. He has more than 25 years of experience in policy, regulation, and commercial use of the environment and has represented clients in the energy, chemical, manufacturing, transportation, and retail industry sectors before federal, state, and local agencies. Key experience includes providing regulatory counseling, advising clients on environmental auditing, and representing clients in cost recovery and remediation cases.

While serving as Director of the Texas Commission on Environmental Quality's (TCEQ) Litigation Division, his responsibilities included representing TCEQ in administrative, civil, and criminal enforcement matters, managing TCEQ's Environmental Audit and Supplemental Environmental Project programs, and advising TCEQ's Superfund, voluntary cleanup, petroleum storage tank (PST), and other remediation programs.

### **Professional Experience**

Paul is well-versed in handling civil and criminal enforcement, permitting, auditing, litigation, workplace safety, air quality, water rights, water quality, waste handling and disposal, and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund) matters. He represents clients before TCEQ and the U.S. Environmental Protection Agency (EPA), as well as before state environmental agencies in Louisiana, Mississippi, Florida, Georgia, and Wyoming. Paul also has handled matters before the Pipeline and Hazardous Materials Safety Administration (PHMSA), U.S. Coast Guard, Federal Aviation Administration (FAA), and Federal Railroad Administration (FRA).

- Advises companies on environmental audits, air compliance issues, environmental regulatory interpretations (EPA, TCEQ, and Texas Parks and Wildlife Department), the negotiation and revision of master service agreements, nondisclosure agreements, transportation-related regulatory interpretation (PHMSA and Texas Railroad Commission), safety-related regulatory interpretations (Occupational Safety and Health Administration, or OSHA)

### **Practice Areas**

- Environmental Litigation
- Environmental Advocacy
- Environmental Transactions
- Land Use
- Pipelines
- Transportation of Hazardous Materials
- Water Law
- White Collar Defense and Investigations
- OSHA, Workplace Safety and Whistleblower Claims

### **Awards & Recognitions**

- *Ranked: Chambers USA*, Environment – Texas, 2017, 2019-present
- *Best Lawyers in America*, Environmental Law, 2016, 2018-present  
Litigation – Environmental, 2016, 2018-present
- *Texas Super Lawyers*, Environmental Law, 2014-2019
- *The Legal 500 USA*, Energy: Regulatory, 2015

### **Education**

- University of Houston Law Center, Houston, Texas  
- LL.M., Environmental, Energy, and Natural Resources Law
- The University of Texas School of Law, Austin, Texas  
- J.D., with honors
- The University of Texas at Austin, Austin, Texas  
- B.B.A., Finance

### **Admissions**

- Texas
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Southern District of Texas

- Assisted on a series of environmental issues, including electronic manifesting for waste transportation and disposal, and defense of an enforcement action by the TCEQ in the wake of Hurricane Harvey
- Representing clients in contested air permitting hearings
- Serving as a subject matter witness on environmental compliance history issues in a wastewater permitting hearing
- Prepared comments on behalf of an industry group and testified before the EPA on the EPA's
- Represented clients in Superfund matters
- Represented a shipping company to address environmental issues with the U.S. Coast Guard and TCEQ in response to a maritime accident
- Successfully defended a concrete company against criminal charges alleging unauthorized discharges to water
- Represented a chemical company in handling a criminal investigation; succeeded in avoiding criminal charges and all civil and administrative enforcement actions were dropped
- Represented a petrochemical facility in emergency response activities related to multiagency investigations and enforcement actions
- Represented chemical facilities on FRA and FAA enforcement actions
- Represented clients with respect to Texas Public Information Act requests, requirements, and exceptions
- Assisted buyers, sellers, and lending institutions in evaluating environmental issues, assessing potential liabilities, and creating solutions that provide a path for transactions to proceed to closing
- Advised on the establishment of a system for the collection, management, transportation, and disposal of hazardous or state-regulated waste generated in association with the operation of a grocery or pharmacy
- Advised on the applicability of Tier II hazardous chemical inventory reporting requirements to a grocery facility
- Successfully represented a grocery store in a civil enforcement action by a local government alleging violations of storm water and waste disposal requirements
- Advised on EPA regulation of articles under the Toxic Substances Control Act (TSCA) and the applicability of the EPA's reporting requirements under TSCA
- Advised on the handling, collection, storage, transportation, and disposal of off-spec or damaged products that may be subject to state or federal regulation as hazardous waste

## **Publications & Presentations**

- PHMSA Proposes Rule Revisions for Hazardous Liquid Pipelines, *Holland & Knight Alert* (2020)
- Top 10 Things You Should Know About PFAS: Real Estate and Corporate Due Diligence, *Holland & Knight's Energy and Natural Resources Quarterly Newsletter: Spring 2020*
- TCEQ Guidance on Enforcement Discretion Requests for Operational Noncompliance Tied to COVID-19, *Holland & Knight Alert* (2020)

- Michigan Workgroup Issues Health-Based Drinking Water Value Recommendations for PFAS in Next Step Toward Establishing Enforceable Limits, *Holland & Knight Energy and Natural Resources Blog* (2019)
- Fifteen States and State Associations Comment on EPA's Draft PFAS Guidance, *Holland & Knight Energy & Natural Resources Blog* (2019)
- Michigan Governor Moves to Establish Enforceable PFAS Limits, *Holland & Knight Energy and Natural Resources Blog* (2019)
- EPA's New Prescription for Pharmaceutical Waste, *Holland & Knight Alert* (2019)
- Environmental Hazard Communications, *Texas Environmental Law, Chapter 16, Thomson*.
- Used Oil Regulation, *Texas Environmental Law, Chapter 22, Thomson Reuters (2007-Present)*
- Environmental Ethics and the Duty to Report, *Texas Oil & Gas Association (TXOGA)* (2018)
- Rising Environmental Enforcement in the Food and Drug Sector: How to Stem the Tide for Your Facility, *Synergy Environmental Newsletter* (2017)
- Home Grown: A Legal Guide to Starting a Nonprofit Farmers' Market in Texas, *Texas C-Bar and Texas Rio Grande Legal Aid* (2016)
- Environmental Incident Response: Preparing for and Responding to the Unexpected, *Client Alert* (2015)
- University Nano Labs: Assessing and Minimizing Environmental, Health & Safety Risks, Co-Author / *Journal of College and University Law* (2011)
- Responding to NIOSH's Nanomaterial Exposure Limits, *Client Alert* (2011)
- Emerging Safety Issues at University Nanomaterials Labs, *Nanotechnology Law & Business* (Winter, 2009)
- Evaluating a Nanomaterial Operation's Compliance with Environmental Requirements: Selected Environmental Audit Statutes and Policies, *Nanotechnology Law & Business* (Summer, 2009)
- Auditing as a Tool for Ensuring Compliance with Nanotechnology Safety Requirements, *Nanotechnology Law & Business* (Winter, 2008)
- Nanotechnology Safety: A Framework for Identifying and Complying with Workplace Safety Requirements, *Nanotechnology Law & Business* (Summer, 2008)

## Professional & Community Activities

- State Bar of Texas
  - Environmental & Natural Resources Law Section, Council Member, 2020 - present
  - Administrative & Public Law Section
- Austin Bar Association
  - Environmental Law Section
  - Equity Committee
- American Bar Association
  - Section of Environment, Energy & Resources (SEER)
- Texas State Bar College
- The University of Texas, Chancellor's Council