



## Lesley

### Lesley Foxhall Pietras

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#### Overview

Lesley Pietras practices in all areas of state and federal environmental law, advising energy, petrochemical, and industrial clients on a wide-range of complex regulatory issues.

In particular, Lesley's experience includes matters related to the:

- Clean Air Act (CAA)
- New Source Review (NSR)
- Outer Continental Shelf Lands Act (OCSLA)
- Oil Pollution Act (OPA)
- National Environmental Policy Act (NEPA)
- Clean Water Act (CWA)
- CERCLA

Lesley has provided assistance in identifying federal, state, and local environmental permits that would be required for industrial facility projects, and she has represented clients in administrative matters before the Department of Interior, the Environmental Protection Agency, and the Louisiana Department of Environmental Quality. Lesley also focuses on the Administrative Procedure Act, representing clients challenging final agency action and regulations in federal court. Before joining Liskow & Lewis, Lesley was a staff attorney for the U.S. Court of Appeals for the D.C. Circuit and practiced environmental law at Sidley Austin in Washington, D.C.

Recent administrative experience includes:

- Lesley and a team of Liskow lawyers obtained a decision in favor of South Louisiana Methanol LP ("SLM") in the appeal of air quality permit modifications by a group of environmental petitioners. The ruling affirmed the original decision of the Louisiana Department of Environmental Quality to tailor its public trust analysis for the proposed modification and to issue the modified permits. The permits authorize construction of what would be the largest methanol plant in the world.
- Successful administrative appeal (2017) of EPA denial of Freedom of Information Act (FOIA) request on deliberative process privilege grounds.

#### Practice Areas

Environmental Regulatory  
Toxic Tort & Environmental Litigation  
Environmental Business & Transactional

#### Bar Admissions

Louisiana, 2011  
District of Columbia, 2001  
New York, 2000

#### Education

University of Pennsylvania Law School,  
J.D., 1999

- Associate Editor and Symposium Coordinator, *University of Pennsylvania Journal of Constitutional Law*

Duke University, B.A. in Political Science, *with distinction*, 1996

- Hart Leadership Program Refugee Action Project, Croatia, Summer 1996

- Assisting in challenge to an EPA Integrated Risk Information System (IRIS) assessment.
- Assisting with successful administrative appeal of \$900,000 civil penalty assessment issued by the Bureau of Safety and Environmental Enforcement (BSEE) resulting in withdrawal of penalty assessment.
- Assisting with *Oceana v. Bureau of Ocean Energy Management*, 37 F. Supp. 3d 147 (D.D.C. 2014) – rejected challenge to environmental reviews conducted in conjunction with Gulf of Mexico Lease Sales 218 and 216/222 and held that such reviews complied with the Endangered Species Act, National Environmental Policy Act, and Administrative Procedure Act.

## Involvement

### Professional

- District of Columbia Bar
- Louisiana State Bar Association
- New York State Bar Association

## Publications

- "The Supreme Court Looks for a Middle Ground to Determine When Clean Water Act Permit is Required for Discharges to Groundwater," Liskow & Lewis' The Energy Law Blog, April 28, 2020
- "EPA's New Audit Program for New Owners of Upstream Oil and Natural Gas Facilities," Liskow & Lewis' The Energy Law Blog, April 4, 2019
- "Environmental Groups File Suit to Compel EPA to Review and Revise Oil and Gas Waste Regulations," Liskow & Lewis' The Energy Law Blog, May 12, 2016
- "Clean Power Plan: The Legal Battle Continues," Liskow & Lewis' The Energy Law Blog, February 22, 2016
- "E&P Wetlands Compliance Strategy: Nationwide Permits," Law360, October 9, 2014
- "Trans Energy Settlement Shows Need for E&P Wetlands Compliance Strategy," Liskow & Lewis *The Energy Blog*, September 16, 2014
- "Amendments from 2014 Regular Session of the Louisiana Legislature," co-authored with Stephen W. Wiegand, *Louisiana Bar Journal* Vol. 62, No. 2, August/September 2014
- "Circuit Strikes Down EPA's Attempt to Restrict Applicability of Judicial Decision," with Stephen W. Wiegand, *Louisiana Bar Journal* Vol. 62, No. 2, August/September 2014
- "EPA and Army Corps of Engineers Propose Significant Revisions to Definition of 'Waters of the United States'," Liskow & Lewis *The Energy Blog*, April 1, 2014
- "Update on EPA's Cross-State Air Pollution Rule," Liskow & Lewis E-Newsletter, December 2011
- "GAO Issues Report on Adequacy of Environmental Disclosure in SEC Filings at a Symposium Sponsored by Senators Corzine, Lieberman and McCain," with Thomas M. McMahon and Jeffrey A. Smith, ABA Special Committee on Environmental Disclosure Newsletter, Vol. 2, No. 1 (Nov. 2004).
- "Cartoon Science: The Struggle Between Politics and Science at the Environmental Protection Agency," with Angus Macbeth and James F. Warchall, National Legal Center for the Public Interest, May 2002

## News/Insights

### INSIGHTS

4.28.20

The Supreme Court Looks for a Middle Ground to Determine When Clean Water Act Permit is Required for Discharges to Groundwater

### INSIGHTS

4.4.19

EPA's New Audit Program for New Owners of Upstream Oil and Natural Gas Facilities

INSIGHTS

5.12.16

Environmental Groups File Suit to Compel EPA to Review and Revise Oil and Gas Waste Regulations

INSIGHTS

2.22.16

Clean Power Plan: The Legal Battle Continues

INSIGHTS

9.16.14

Trans Energy Settlement Shows Need for E&P Wetlands Compliance Strategy

INSIGHTS

4.1.14

EPA and Army Corps of Engineers Propose Significant Revisions to Definition of "Waters of the United States"