



Al Axe

Partner

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PRACTICE AREAS

Environmental

Water Law

Al Axe's experience representing businesses and industrial clients in environmental, administrative, related litigation, and legislative matters spans more than 30 years.

In his environmental practice, Al provides general business and regulatory counseling related to permitting of new and existing industrial plants and solid and hazardous waste management facilities, state and federal enforcement proceedings, and property contamination issues. He also advises clients on the federal, state, and local regulation of air pollutants, hazardous waste management facilities, wastewater discharges, injection wells, fuel blending plants, and cement plants that burn waste-derived fuels.

In his administrative law practice, Al has represented clients on various types of administrative hearings at both state and federal agencies. He has previously worked with procurement matters and open records issues.

Representative Experience

During Al's more than 30 years of experience representing clients, he has earned some unique experiences, including advising clients on:

- State Implementation Plans
- Environmental litigation and citizen suits
- Combustion of hazardous waste
- Risk assessment
- Stormwater issues associated with real estate development projects
- Compliance audits
- Procurement protests and open records issues

In addition, Al has experience in the following:

- More than 35 years of experience in representing business and industry in administrative proceedings at TCEQ and EPA, including:
 - Representation of permit applicants in contested case hearings and other permit issues involving commercial hazardous waste landfill, salt dome storage, and injection well facilities, municipal solid waste/medical waste and wastewater discharge matters, hazardous

- waste combustion and air permit proceedings
- Representation of in situ uranium mining facilities
- Environmental enforcement proceedings and investigations, including responses to Clean Air Act §114, RCRA §3007 and CERCLA §104(e) requests for information
- Successful negotiation of Consent Agreements and Final Orders, Agreed Orders and other administrative settlements involving CAA, RCRA, CERCLA, EPCRA, TSCA, CWA, UST and TSWDA claims
- Representation of industry trade associations and individual companies in administrative rulemakings
- Successful representation of business and industry in environmental litigation, including:
 - Clean Air Act, Clean Water Act and Solid Waste Disposal Act citizen suits
 - Toxic tort cases involving allegations of damages for exposures to various air contaminants
 - Civil investigative demands from the Texas Attorney General's Office
 - Environmental enforcement actions by the US Department of Justice, the Texas Attorney General's Office and local governments
 - Property damage cases alleging environmental contamination
 - Appeals from administrative agency decisions
 - CERCLA cost recovery actions
 - Actions by municipal governments for criminal fines under local wastewater and stormwater ordinances
- Involved in the substantive evaluation of environmental bills filed in the Texas Legislature since the 1981 Session
- Representation of industrial clients in environmental audits, due diligence investigations, Texas Voluntary Cleanup Program, TRRP and Innocent Owner/Operator issues
- Representation of clients in environmental criminal investigations
- Representation of association of cement companies in State Implementation Plan proceedings under the Clean Air Act
- Representation of business clients in a broad array of agency proceedings, including procurement protests and open records issues

Professional Associations & Community Involvement

- State Bar of Texas
- Austin Bar Association, Administrative Law and Environmental Law sections
- American Bar Association, Administrative Law, Litigation and Environment, and Energy and Resources Sections
- American Bar Association Environmental Litigation and Toxic Tort Committee (Public Service Vice Chair)
- Air and Waste Management Association (former Chair, Southwest Section)
- Texas Chemical Council (Former Advocacy Committee Member)
- Association of Chemical Industry of Texas
- Texas Association of Business, Environmental Committee
- Texas Bar Foundation (Life Fellow)

Professional Recognition

- Listed in *Best Lawyers*®, Administrative and Environmental Law (2007-present)
- Named Lawyer of the Year in Environmental Law by *Best Lawyers*®, 2020
- Listed in *Chambers USA Guide to America*, 2005-2019
- Texas Super Lawyers list, a Thomson Reuters service, Environmental Law, 2007-2019

Court Admissions

- United States Court of Appeals, Fifth Circuit
- United States District Courts for the Northern, Southern and Western Districts of Texas

Bar Admissions

- Texas

Education/Professional Background

- University of Texas School of Law, J.D., 1979
- Southern Methodist University, B.S., 1976 (with high honors)