



Jeremy P. Greenhouse

SHAREHOLDER

Minneapolis

612.492.7175

jgreenhouse@fredlaw.com

Services

Environmental Law

Energy & Natural Resources

Energy Regulation & Permitting

Energy Transition & Decarbonization

Renewable Energy

Jeremy advises clients regarding regulatory compliance, permitting, enforcement, rulemaking and litigation matters involving all major Minnesota and federal environmental laws.

Jeremy has represented businesses in the mining, agricultural, biofuel and energy industries. He regularly helps achieve client goals with state and federal regulatory agencies, including the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, and the U.S. Environmental Protection Agency, and he has argued high-profile environmental law cases before Minnesota trial and appellate courts, including the Minnesota Supreme Court.

Jeremy handles a wide range of permitting and compliance matters arising under the Clean Water Act, including issues involving NPDES permits, Section 404 wetland permits, Section 401 certifications, and antidegradation, as well as water issues arising primarily under state law, including Minnesota SDS permits and groundwater regulation. His work includes conducting and challenging environmental review under NEPA and MEPA, as well as advising on New Source Review, Title V Permitting, and other Clean Air Act matters. Jeremy also assists clients regarding brownfields, contaminated property remediation, and legal issues arising under CERCLA and MERLA.

A frequent author and speaker on environmental law matters, Jeremy writes a monthly "Environmental Law Update" for the Minnesota State Bar Association's *Bench & Bar* magazine and is past editor of the Federal Bar Association's *Environment, Energy, and Natural Resources* newsletter. From 2020-2022, Jeremy was named by Thomson Reuters as a Minnesota Super Lawyer for environmental law. In addition to his environmental law practice, Jeremy provides pro bono representation for low-income tenants and home buyers, through organizations including the Hennepin County Housing Court Clinic and the City of Lakes Community Land Trust.

Experience

Environmental Litigation

- Negotiated a dismissal with prejudice of all claims filed against an agricultural company in a lawsuit brought by the Minnesota Pollution Control Agency that alleged willful violations of NPDES permit conditions and sought over a half million dollars in civil penalties in addition to attorney's fees. No payment was required as part of the settlement.
- Represented taconite mining company in appeal of first Minnesota reissuance of tailings basin NPDES permit in three decades, arguing environmental issues of first impression before the Minnesota Court of Appeals and Minnesota Supreme Court.
- Represented agricultural company in proceeding before the Minnesota Office of Administrative Hearings, obtaining an order that a longstanding water quality policy of the Minnesota Pollution Control Agency was invalid as an unadopted rule.
- Represented major municipality in negotiating favorable settlement of Endangered Species Act action.
- Defended wastewater treatment facility against Clean Water Act citizen suit.
- Represented international airport in negotiating amendment to consent decree with multiple municipalities concerning noise mitigation.
- Co-drafted amicus brief to Minnesota Supreme Court for national trade association on "sham permitting" under the Clean Air Act.
- Co-drafted amicus brief to Minnesota Supreme Court for business association concerning the Minnesota Environmental Rights Act and the Public Trust Doctrine.

Environmental Compliance

- Conducted multi-media environmental audits for numerous sites of major manufacturing company, assessing compliance with regulatory requirements relating to air emissions, wastewater, stormwater, hazardous waste, EPCRA, storage tanks, and spill reporting, among others.
- Represented agricultural company in working with state environmental protection agency to develop and finalize unique, multi-site individual industrial stormwater permit.
- Represented manufacturing company in reaching favorable settlement of Title V air permit enforcement action by state pollution agency.
- Led external legal team for international manufacturing company project to identify and address wastewater and stormwater compliance issues in facilities across the U.S.

- Assisted manufacturing company in responding to EPA Clean Air Act information request.

Natural Resources

- Represented taconite company regarding transfer of environmental liabilities associated with closed mine site.
- Advised real estate purchaser on private and potential public water rights to ephemeral stream crossing the target property.
- Advised mining company on transfer of water appropriation rights.
- Advised mining company on numerous issues regarding mine pit progression project, including environmental review, state and federal water-discharge permitting, antidegradation, and water appropriation.
- Advised non-ferrous mining company on permitting issues for proposed mining project, including those relating to mining, dam safety, surface and groundwater discharges, water appropriation, air emissions, environmental review, and wetlands.

Energy

- Advised biofuel company on air permitting strategies for new biofuel manufacturing facility.
- Represented ethanol trade group as part of national team drafting and filing successful Clean Air Act fuel waiver petition for E15.
- Negotiated easement agreement for client concerning carbon sequestration pipeline.

Contaminated Property

- Negotiated settlement to Superfund lawsuit for responsible party, including remediation access agreement and traffic management plan.
- Drafted and negotiated numerous access agreements concerning contaminated property remediation under CERCLA and MERLA.
- Represented taconite mining company in transfer of contaminated legacy mine site, including allocation of environmental liabilities and permit responsibilities, and amendment of consent decree.
- Represented manufacturing company in stock purchase transaction, addressing all environment issues, including allocation of liability, review of Phase I and Phase II reports, and transfer of permits.
- Advised manufacturing company on settlement of liability for cleanup of Superfund site in Illinois; negotiated settlement terms.

Credentials

Education

- William Mitchell College of Law, J.D., 2003, *magna cum laude*
- University of Victoria, M.A., 1994
- McGill University, B.Mus., 1990, *with honors*

Admissions

- Minnesota, 2003

Recognition

- *Best Lawyers in America*, Environmental Law, 2024
- *Minnesota Super Lawyers*, Environmental Law, 2020-2022
- North Star Lawyer, Minnesota State Bar Association, 2019-2020
- Best Article of the Year Award, *Bench & Bar of Minnesota*, 2014

Civic & Professional

Professional Activities

- Minnesota Chamber of Commerce's Environment, Energy and Natural Resources Subcommittee, Member
- Air and Waste Management Association, Member
- Minnesota State Bar Association's Environment, Energy and Natural Resources Council, Former Member
- *Federal Bar Association's Environment, Energy, and Natural Resources Newsletter*, Past Editor

Community

- Volunteer Lawyers Network, Advocate for Low-Income Tenants in the Twin Cities
- Saints Luke and James Episcopal Church, Member and Volunteer Musician, Minneapolis; Former Member, Vestry and Finance Committee
- Twin Cities Adult Hockey League, Team Member
- Celtic, Cajun and Folk Music at various venues and festivals, Musician

News

Firm News | 08.17.2023

Fredrikson Attorneys Recognized in The Best Lawyers in America© 2024

Legal Updates

Legal Update | 11.07.2023

Youth-Led Climate Litigation Victorious in Montana; Application Elsewhere Uncertain

Legal Update | 11.07.2023

8th Circuit Affirms Dismissal of Farmer's Wetland Certification Claims

Legal Update | 11.07.2023

Recent State and Federal Actions to Address PFAS

Legal Update | 09.11.2023

U.S. Court of Appeals Upholds EPA's Aircraft GHG Emissions Rules

Legal Update | 09.11.2023

EPA Rescinds Trump-Era Rule on Evaluation of Benefits and Costs in Clean Air Act Rulemaking

Legal Update | 09.11.2023

MN Supreme Court Rejects PolyMet's NPDES Permit on Procedural and Groundwater Issues

Legal Update | 06.01.2023

Supreme Court Significantly Contracts Scope of Clean Water Act Jurisdiction Over Wetlands

Legal Update | 04.10.2023

Minnesota Court of Appeals Finds Minnesota's Clean Car Rule Valid

Legal Update | 04.10.2023

Minnesota Court of Appeals Rejects No-EIS Decision for Cohasset Engineered Wood Facility

Legal Update | 03.10.2023

EPA Rejects Minnesota's and 20 Other States' SIPs for 2015 Ozone NAAQS; "Good Neighbor Plan" FIP Forthcoming

Legal Update | 03.10.2023

Court in PolyMet Mining Case Partially Grants Motion to Dismiss Claims Under the ESA

Legal Update | 02.28.2023

EPA and the Corps Issue Revised Definition of "Waters of the US," Incorporating Both Jurisdictional Tests from *Rapanos*

Legal Update | 02.28.2023

Minnesota Court of Appeals Upholds Summary Judgment Against Minneapolis' 2040 Plan

Publications & Presentations

Co-Author, "Recent State and Federal Actions to Address PFAS," *Bench & Bar of Minnesota*, Minnesota State Bar Association, October 2023

Co-Author, "8th Circuit Affirms Dismissal of Farmer's Wetland Certification Claims," *Bench & Bar of Minnesota*, Minnesota State Bar Association, October 2023

Co-Author, "Youth-Led Climate Litigation Victorious in Montana; Application Elsewhere Uncertain," *Bench & Bar of Minnesota*, Minnesota State Bar Association, October 2023

Author, "MN Supreme Court Rejects PolyMet's NPDES Permit on Procedural and Groundwater Issues," *Bench & Bar of Minnesota*, Minnesota State Bar Association, September 2023

Co-Author, "EPA Rescinds Trump-Era Rule on Evaluation of Benefits and Costs in Clean Air Act Rulemaking," *Bench & Bar of Minnesota*, Minnesota State Bar Association, September 2023

Co-Author, "U.S. Court of Appeals Upholds EPA's Aircraft GHG Emissions Rules," *Bench & Bar of Minnesota*, Minnesota State Bar Association, September 2023

Co-Presenter, *Sackett v. EPA, a Once-in-a-Generation Supreme Court Wetlands Decision: Practical Implications for Land Developers in the Upper Midwest*, Webinar hosted by Braun Intertec and Fredrikson's Environmental Law Group, June 28, 2023

Panel Moderator, *Making Sense of the Complex Permit Requirements for Carbon Capture and Storage Projects*, Fuel Ethanol Workshop, Omaha, NE, June 12, 2023

Presenter, *Water & Wetland Basics*, Minnesota Environmental Institute, April 20, 2023

Presenter, *Elements a Successful Regulatory Inspection: How to Survive and Thrive when the Government Comes a-Knocking*, 2023 Society for Mining, Metallurgy & Exploration Minnesota Conference, April 19, 2023

Author of Annual Updates, "Environmental Protection," Chapter 9 of "Real Estate Law" in *Westlaw's Minnesota Practice Series*, 2019–present

Author, Environment, Energy and Natural Resources Law, Monthly Update, *Bench & Bar of Minnesota*, 2012–present

Author, “Minnesota Court of Appeals Rejects No-EIS Decision for Cohasset Engineered Wood Facility,” *Bench & Bar of Minnesota*, Minnesota State Bar Association, April 2023

Co-Author, “Minnesota Court of Appeals Finds Minnesota’s Clean Car Rule Valid,” *Bench & Bar of Minnesota*, Minnesota State Bar Association, April 2023

Author, “EPA Rejects Minnesota’s and 20 Other States’ SIPs for 2015 Ozone NAAQS; “Good Neighbor Plan” FIP Forthcoming,” *Bench & Bar of Minnesota*, Minnesota State Bar Association, March 2023

Co-Author, “Court in PolyMet Mining Case Partially Grants Motion to Dismiss Claims Under the ESA,” *Bench & Bar of Minnesota*, Minnesota State Bar Association, March 2023

Author, “EPA and the Corps Issue Revised Definition of “Waters of the US,” Incorporating Both Jurisdictional Tests from *Rapanos*,” *Bench & Bar of Minnesota*, Minnesota State Bar Association, January/February 2023

Co-Author, “Minnesota Court of Appeals Upholds Summary Judgment Against Minneapolis’ 2040 Plan,” *Bench & Bar of Minnesota*, Minnesota State Bar Association, January/February 2023

Presenter, *Stayin’ In Your Lane: How to Tell When an Agency Regulation or Policy Is Within the Scope of Its Authority*, Annual Conference on the Environment, Upper Midwest Chapter of the Air and Waste Management Association and the Central States Environmental Association, November 2022

Presenter, *Components of a Successful Regulatory Inspection*, Andersen Windows and Doors, 17th Annual Safety & Environmental Summit, October 2022

Presenter, *Environmental Case Law Relevant to the Midwest Mining Industry*, Society for Mining, Metallurgy, and Exploration (SME), Minnesota Section 2022 Conference, April 2022

Presenter, *Ghosts of Water Wars Future: The Great Lakes Compact and The Coming Freshwater Crisis*, Alumni CLE Series, Mitchell Hamline School of Law, October 2021

Co-Presenter, *Environmental Law Update—What You Missed This Summer When You Were Up at the Cabin*, Minnesota State Bar Association CLE, October 2021

Author, “Ghosts of Water Wars Future: The Great Lakes Compact and The Coming Freshwater Crisis,” *Bench & Bar of Minnesota*, August 2021

Co-Presenter, *Climate Change and Environmental Review*, Minnesota Environmental Institute, August 2020

Presenter, *Water Law Update*, Annual Conference on the Environment, Upper Midwest Chapter of the Air and Waste Management Association and the Central States Environmental Association, November 2015, November 2016, November 2017, November 2018, November 2019

Presenter, *Does the Clean Water Act Regulate Discharges to Groundwater? An Examination of Recent Case Law on the "Conduit Theory"*, Minnesota Groundwater Association Fall Conference, November 2018

Co-Presenter, *Antidegradation: A Practical Guide*, Midwest Environmental Compliance Conference, Chicago IL, November 2016

Presenter, *Clean Water Act Jurisdiction: Where We've Been and Where We're Going*, 29th Annual Conference on the Environment, Upper Midwest Chapter of the Air and Waste Management Association and the Central States Environmental Association, November 2014

Co-Author, "There's Sand in Them Thar Hills: Minnesota Races to Regulate the Frac Sand Boom," *Bench & Bar of Minnesota*, April 2014

Panelist, *Clean Water Act Section 404 Permit Program: Hot Topics and Practical Implications*, Hamline University School of Law, October 2013

Co-Presenter, *The Practical Aspects of Environmental Review*, Minnesota State Bar Association, Environmental, Energy and Natural Resources section CLE, April 2013

Author, "Climate Change and the Common Law: Who's to Pay for Global Warming?" *Bench & Bar of Minnesota*, February 2011

Blog Posts

The Construction Counselor | 06.01.2023

Supreme Court Significantly Contracts Scope of Clean Water Act Jurisdiction Over Wetlands