

Partner

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Practice Areas

Business & Commercial
Litigation

Class Action Defense &
Multi-District Litigation

Corporate Compliance &
White Collar Defense

Disaster Preparedness &
Recovery

Economic Development

Energy

Energy, Environment &
Natural Resources

Environmental & Toxic Torts

Environmental: Litigation

Green Law & Sustainability

Real Estate: Land Use,
Development & Finance

Bar Admissions

District of Columbia, 1980

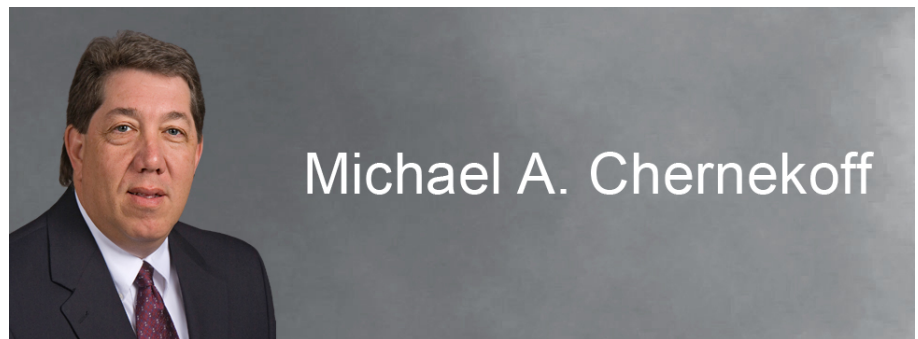
Louisiana, 1982

Texas, 2006

Education

The George Washington
University Law School, J.D.,
1980, *cum laude*

Tulane University, B.A., 1977



Mike Chernekoff is partner in the firm's Business & Commercial Litigation and Real Estate Practice Groups and practices from the firm's Houston office. His practice focuses principally on the areas of environmental law and related areas of environmental litigation, toxic tort defense, and commercial litigation. He also participates in the Energy, Environmental, and Natural Resources Industry Group.

Mr. Chernekoff's environmental practice has involved a broad spectrum of matters in both Louisiana and Texas, including air, water, and waste permitting; regulatory compliance and assessment; due diligence and auditing; enforcement counseling and defense; remediation and response action assessment and coordination; and climate change issues. Some matters of note have included obtaining the first complete response costs reimbursement against the U.S. Environmental Protection Agency's (EPA) Superfund after completion of an emergency response action pursuant to a Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 106 Order; negotiating an agreement with the State of Louisiana on behalf of a refinery under the EPA's New Source Review Initiative; and negotiating the first private-party partial remedial action agreement with the State of Louisiana under its Voluntary Clean Up Program (Brownfield equivalent), placing contaminated property back into commerce.

Over the years, Mr. Chernekoff has been actively involved in federal and state environmental enforcement defense, both civil and criminal. He has also defended judicial permit challenges and environmental citizen suits. Mr. Chernekoff has been active in federal and state cleanup actions, including under CERCLA and the Resource Conservation and Recovery Act (RCRA). He has experience in both CERCLA cost recovery reimbursement pursuit and cost recovery defense. He has served on potentially responsible party (PRP) committees and has also served as PRP group counsel. He has also

represented clients with claims under the Oil Pollution Act (OPA).

Mr. Chernekoff has defended companies in a number of complex toxic tort matters involving current and former waste sites and industrial facilities. Many of these matters have involved class action issues and punitive damage issues, and have included claims for property damages and personal injuries, including fear and medical monitoring, as a result of releases to air, surface water, and groundwater.

Mr. Chernekoff has also defended companies engaged in energy production—including service companies—against damages claims associated with those activities, including legacy liability claims, seismic damage claims, and equipment damage claims. More recently, Mr. Chernekoff has counseled and represented clients on climate change issues, including regulation of greenhouse gas emissions.

From 1981 until joining Jones Walker in June 1982, Mr. Chernekoff worked as an attorney adviser in the Office of Air, Mobile Source Enforcement at the U.S. Environmental Protection Agency in Washington, D.C.

Mr. Chernekoff has written about and presented on a variety of environmental topics including criminal enforcement; civil enforcement; compliance auditing; due diligence; Brownfield reclamation projects; the Oil Pollution Act; and CERCLA, RCRA, Clean Air Act, and Clean Water Act programs.

Noteworthy

- Listed in *The Best Lawyers in America*® 2012 (Copyright 2011 by Woodward/White, Inc., Aiken, SC) in the areas of Environmental Law and Litigation - Environmental (listed annually since 2007)
- Recognized in "*Chambers USA – America's Leading Lawyers for Business*" in the area of Environment (annually since 2006)
- Listed in the 2009 edition of *Louisiana Super Lawyers* in the area of Environmental Litigation (listed annually since 2007)
- **AV® Peer Review Rating in Martindale-Hubbell**

Presentations

- Oil and Gas Environmental Enforcement Workshop
Houston, Texas, April 27, 2010
- "The Carbon Capture Continuum—From Study and Production to Capture and Consumption"
Baton Rouge, Louisiana, July 23, 2009
- "Environmental Issues: Louisiana, Post Katrina"
Houston Bar Association Environmental Section Meeting, April 11, 2007
- "Update on CERCLA Issues"
Louisiana State University Environmental Law Seminar, March 17, 2006
- "Louisiana's Voluntary Remediation Program: Banking on the Certificate of Completion, A Case Study"
Environmental Bankers Association, Semi-Annual Meeting, New Orleans, Louisiana, January 16–18, 2005

Publications

- Louisiana and Texas Lay the Groundwork for Enhanced Oil Recovery Through Carbon Sequestration: A Possible Win-Win for Energy and the Environment
Jones Walker Environmental & Toxic Torts E*Lert, April 28, 2009
- Ships in U.S. and Canada Waters Could Soon Be Subject to Air Pollution Limitations
Jones Walker Environmental & Toxic Torts E*Lert, April 28, 2009
- "Will Hurricane Katrina Further Define the 'Act of God' Defense?"
Oil, Gas & Energy Resources Section Report. State Bar of Texas, Vol. 30, No. 2, February 8, 2006
- "When the EPA Comes Knocking at Your Door with Weapons and Search Warrant in Hand"
Louisiana Bar Journal, Vol. 49, No. 1, June 1, 2001
- *Louisiana Environmental Handbook*
Lawyer's Cooperative Publishing, 1992; West Group, 1997

Memberships

- American Bar Association (Member, Sections of Environment, Energy and Resources and Litigation; Vice Chair, Environmental Enforcement and Crimes Committee, 2005–2011; Member, Section of Tort Trial and Insurance Practice, Toxic Tort and Environment Law Committee; Member, Section of Litigation, Environmental Litigation Committee)
- Defense Research Institute
- District of Columbia Bar
- Federal Bar Association
- Houston Bar Association
- Louisiana State Bar Association (Past Chairman, Section on Environmental Law)
- New Orleans Bar Association
- State Bar of Texas

Court Admissions

U.S. Supreme Court, 1988

5th Cir., 1982

D.C. Cir., 1981

E.D. La., 1982

M.D. La., 1982

W.D. La., 1987

E.D. Tex., 2007

N.D. Tex., 2006

S.D. Tex., 2006

W.D. Tex., 2009