



Douglas J. Crouse

Associate

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Douglas J. Crouse is an Associate in the Coal and Energy industry groups, focusing primarily on litigation. He practices out of the Firm's office in Charleston, West Virginia.

Doug's practice involves environmental litigation at the state and federal levels, as well as advising clients on permitting, surface mining, water discharge, and other environmental issues. His mission in his practice is to find answers to the complex environmental questions and issues presented in cases. Doug is not afraid to dig deep into research to uncover solutions for his clients. He's defended numerous energy companies in federal court against Clean Water Act citizen suits filed by environmental activist groups, and represented and counseled energy companies in a variety of cases and appeals. A people-person at heart, getting to know his clients is Doug's favorite part of what he does and what keeps him motivated every day.

Doug is committed to ensuring a bright future for the next generation of West Virginians. He's been an asset to Jackson Kelly's youth mentoring program, Education Elevators, serving as a mentor since he joined the Firm and as a board member since 2015. While in law school at Wake Forest, he served as a member of his law school's Youth Advocacy Group and volunteered as a youth basketball coach.

Not one to miss a beat (he is a drummer, after all), Doug enjoys the vibrant local music scene in the Charleston area. On any given Saturday between August and November, you'll probably find him in the stands at Milan-Puskar Stadium, cheering on the West Virginia Mountaineers.

Awards

- Named in the 2015-2018 editions of *West Virginia Super Lawyers® Rising Stars* for Environmental Litigation Law



Notable Legal Experience

- Defended numerous energy companies in federal court against Clean Water Act citizen suits filed by environmental activist groups
- Co-authored appellate brief defending the U.S. Army Corps of Engineers' issuance of a Clean Water Act § 404 fill permit to an Eastern Kentucky coal operator against claims of the Sierra Club and others that mountaintop mining causes adverse human health effects. *Kentuckians for the Commonwealth v. U.S.A.C.E.*, 746 F.3d 698 (6th Cir. 2014)
- Co-authored appellate brief defending the U.S. Army Corps of Engineers' issuance of a Clean Water Act § 404 fill permit to a West Virginia coal operator against claims of the Sierra Club and others that mountaintop mining causes adverse environmental effects. *Ohio Valley Env'tl. Coal v. U.S.A.C.E.*, 716 F.3d 119 (4th Cir. 2013)
- Represented numerous coal operators in administrative appeals before the West Virginia Environmental Quality Board concerning the West Virginia Department of Protection's issuance of Clean Water Act discharge permits
- Negotiated settlements with the Sierra Club and others on behalf of coal operators that resolved administrative appeals before the West Virginia Environmental Quality Board regarding selenium limits contained in state-issued Clean Water Act discharge permits
- Administered consent agreement involving a novel stream restoration approach in a Clean Water Act citizen suit filed by the Sierra Club and others against coal operator alleging violation of West Virginia's "narrative" water quality standard

Work History

- Jackson Kelly PLLC (2009-Present)
- Jackson Kelly PLLC, Summer Associate (2008)
- Legal Aid of West Virginia, Volunteer Clerk (2007)

Practices

- Environmental

Industries

- Coal
- Energy

Education

- Wake Forest University School of Law (J.D., 2009)
- West Virginia University (B.A. in Philosophy, *cum laude*)

Admissions

- West Virginia
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Southern District of West Virginia
- West Virginia Supreme Court

Professional Organizations

- American Bar Association
 - Section of Environment, Energy, and Resources
- Editorial Board Member, *Natural Resources & Environment*

Speaking Engagements & Publications

- "A Dent in the Clean Water Act's Permit Shield," American Bar Association's *Natural Resources & Environment*, Vol. 32 No. 1, Summer 2017

- “Conventional and Unconventional Warfare: The Increasing Criminalization of Both Clearly Wrong and Seemingly Ordinary Activities in the Mineral Industries,” presenter with **Robert G. McLusky** and **Michael M. Fisher**, EMLF 36th Annual Institute, Amelia Island, Florida, June 21-23, 2015
- “OSHA to EPA: Environmental & Safety Regulatory Predictions Under a Trump Presidency,” presenter with **Kristin R.B. White**, Associate of Corporate Counsel Colorado Chapter, In-house Counsel Forum, Denver, Colorado, April 5, 2017

Community

- Jackson Kelly Education Elevators Program
 - Board of Directors, 2015-Present
 - Volunteer, 2009-Present
- Hanes Hosiery Community Center, Volunteer Basketball Coach, 2007-2009