



Sean M. McGovern

Shareholder

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Area of Emphasis

Sean McGovern is a shareholder in the Environmental and the Energy and Natural Resources groups of Babst Calland. Mr. McGovern's practice involves counseling clients on a variety of federal, state, and local regulatory and compliance issues related to mining, renewable, oil and natural gas well development, production, midstream, storage, plugging and restoration in the Appalachian Basin. He counsels these clients on a wide range of environmental regulatory and enforcement matters, including water withdrawal, erosion and sediment controls, various permitting requirements, seismic and acoustic assessments, the transportation and disposal of wastes generated by industry, in addition to other issues related to pooling, unitization, and spacing and setback requirements under Pennsylvania's Conservation Law. Mr. McGovern regularly handles storage tank issues, stray gas investigations, as well as site reclamation and remediation matters. He also has experience with environmental transactions, including due diligence activities; environmental justice considerations and requirements; and river basin commissions. In addition, Mr. McGovern has counseled clients pertaining to investigations by the Pennsylvania Office of the Attorney General and the U.S. Department of Justice.

Background

Mr. McGovern graduated *cum laude* from the University of North Carolina at Chapel Hill in 2001, where he earned a Bachelor of Science in Public Health in Environmental Science and Engineering with a focus in mathematical modeling and was selected for membership in Phi Beta Kappa. For the two years prior to attending law school, he was an environmental scientist at a consulting firm located in Chapel Hill, North Carolina, assisting with environmental risk assessments and exposure modeling, as well as drafting federal environmental regulations.

In 2006, Mr. McGovern graduated from the University of North Carolina School of Law at Chapel Hill, earning his J.D. While in law school, Mr. McGovern was a member of the Holderness Moot Court's Environmental Negotiation Team that won the Robert R. Merhige, Jr. National Environmental Negotiation Competition in 2006. In addition, he was an Articles Editor for the law school's *Journal of International Law and Commercial Regulation*, as well as a Dean's Fellow Counselor and the Chair of the Student Body Association Leadership Speaker Series.

Memberships and Affiliations

Mr. McGovern is admitted to practice in Pennsylvania and the United States District Courts for the Western and Middle Districts of Pennsylvania. He is a member of the Allegheny County, Pennsylvania and American Bar associations. Mr. McGovern is also a member of the Allegheny County Bar Association's Environmental Law Section. He is also a member of the Marcellus Shale Coalition, the Pennsylvania Independent Oil and Gas Association (PIOGA), Ohio Oil and Gas Association (OOGA), Pennsylvania Coal Alliance, Pennsylvania Aggregates & Concrete Association, the Energy & Mineral Law Foundation, and the Foundation for Natural Resources and Energy Law (fka Rocky Mountain Mineral Law Foundation).

Mr. McGovern is a 2022-23 Leadership Pittsburgh XXXIX alumnus. Leadership Pittsburgh Inc. is the local independent nonprofit that is best known for serving as the region's premier community leadership, identification, connection and development organization. In 2012, he was selected by *The Legal Intelligencer* as one of only 35 "Lawyers on the Fast Track" in Pennsylvania. This recognition is given to attorneys under the age of 40 who have demonstrated excellence in four categories: development of the law, advocacy and community contributions, service to the bar and peer/public recognition. Mr. McGovern was also selected to the 2012-2013 and 2015-2016 *Pennsylvania Rising Stars* lists (Thomson Reuters).

Publications/Presentations

Co-Author, “The Future of Pennsylvania’s RGGI Rule Remains Uncertain,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 40, No. 2 (2023).

Co-Author, “In Response to Environmental Groups’ Request, PADEP Declines to Issue Order to Shell Plant to Cease Operations,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 40, No. 2 (2023).

Co-Author, “EJ Federal and PA Update,” The PIOGA Press, March 15, 2023.

Co-Author, “EQB Adopts Regulations Reducing Emissions from Unconventional and Conventional Operations,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 40, No. 1 (2023).

Co-Author, “Litigation Surrounding Pennsylvania’s RGGI Rule Continues,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 40, No. 1 (2023).

Co-Author, “PADEP General Permit for Short Duration Processing and Beneficial Use of Oil and Gas Liquid Waste Available for Use,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No. 4 (2022).

Co-Author, “Supreme Court of Pennsylvania Upholds Preliminary Injunction for RGGI Rule,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No. 4 (2022).

Co-Author, “Preliminary Injunction Granted for RGGI Rule,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No.3 (2022).

Author, “DEP Takes Public Comments on Revised Environmental Justice Policy,” The PIOGA Press, June 2022.

Co-Presenter, “Developments and Emerging Trends in ESG and Environmental Justice,” Western Pennsylvania Chapter of the Association for Corporate Counsel (ACC), Webinar April 26, 2022.

Co-Author, “Pennsylvania Joins RGGI,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No. 2 (2022).

Co-Author, “After Commonwealth Court Denies Challenge to Municipality’s Unconventional Drilling and Operations Ordinance, Citizen Group Petitions Pennsylvania Supreme Court for Review,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No. 2 (2022).

Participant, “Industry Voice: Mitigating Methane,” Hart Energy, March 22, 2022.

Co-Presenter, “The Bipartisan Infrastructure Bill | What Natural Resources and Energy Lawyers Need to Know,” The Foundation for Natural Resources and Energy Law, Webinar, January 12, 2022.

Co-Author, “EQB Publishes Proposed Amendments to Anthracite Coal and Coal Refuse Disposal Regulations,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No. 1 (2022).

Co-Author, “Environmental Impacts from Construction of Mariner East 2 Pipeline Results in Charges of Environmental Crimes; Settlement Reached to Restore Marsh Creek Lake,” FRNEL’s *Mineral and Energy Law Newsletter*, Vol. 39, No. 1 (2022).

Co-Author, “PADEP Issues Guidelines for Implementing Area of Review Regulatory Requirement for Unconventional Wells,” *RMMLF Mineral and Energy Law Newsletter*, Vol. 38, No. 4 (2021).

Co-Author, “PADEP Issues Draft Technical Guidance Regarding Synthetic Liners and Caps at Coal Refuse Disposal Areas,” *RMMLF Mineral and Energy Law Newsletter*, Vol. 38, No. 4 (2021).

Co-Author, “Groups Petition for Massive Increases in Oil & Gas Well Bonds,” *The PIOGA Press*, October 2021.

Co-Author, “PADEP’s RGGI Rule Nears the End of the Regulatory Process,” *RMMLF Mineral and Energy Law Newsletter*, Vol. 38, No. 3 (2021).

Co-Author, “Supreme Court of Pennsylvania Dismisses Appeal of Unconventional Drilling Zoning Approvals,” *RMMLF Mineral and Energy Law Newsletter*, Vol. 38, No. 3 (2021).

Co-Author, “Commonwealth Court Confirms EHB Discretion in Awarding Fees Under the Clean Streams Law” *RMMLF Mineral and Energy Law Newsletter*, Vol. 38, No. 2 (2021).

Co-Author, “PADEP’s RGGI Rule Continues Through the Regulatory Process,” *RMMLF Mineral and Energy Law Newsletter*, Vol. 38, No. 2 (2021).

Co-Author, “Governor Wolf Vetoes Conventional Oil and Gas Wells Act,” *RMMLF Mineral Law Newsletter*, Vol. 38, No. 1 (2021).

Co-Author, “Significant Public Participation Regarding PADEP’s RGGI Rule,” *RMMLF Mineral Law Newsletter*, Vol. 38, No. 1 (2021).

Co-Author, “Governor Wolf’s and PADEP’s RGGI Rule Moves Forward,” *RMMLF Mineral Law Newsletter*, Vol. 37, No. 4 (2020).

Co-Presenter, “Regulatory Relief: Federal and State Environmental Responses to the COVID-19 National Emergency,” Energy and Mineral Law Foundation, Webinar, July 15, 2020.

Co-Author, “Grand Jury Investigation into Unconventional Oil and Gas Industry Findings and Recommendations Released,” *RMMLF Mineral Law Newsletter*, Vol. 37, No. 3 (2020).

Co-Author, “Governor Wolf’s and PADEP’s Attempts to Join RGGI Meets Resistance,” *RMMLF Mineral Law Newsletter*, Vol. 37, No. 3 (2020).

Co-Author, “Pennsylvania Supreme Court Preserves Rule of Capture,” *RMMLF Mineral Law Newsletter*, Vol. 37, No. 2 (2020).

Co-Author, “Updates on Changes to Coal Refuse Disposal Temporary Cessation Provisions,” *RMMLF Mineral Law Newsletter*, Vol. 37, No. 2 (2020).

Co-Author, “Coronavirus May Be Basis to Invoke Force Majeure Provision of Consent Orders and Consent Decrees in Pennsylvania,” *The PIOGA Press*, April 2020.

Co-Author, “Update of Proposed Water Quality Standards for Manganese,” *RMMLF Mineral Law Newsletter*, Vol. 37, No. 1 (2020).

Co-Chair, 5th Appalachia Young Energy Professionals’ General Counsel Forum, The Center for American and International Law’s Institute for Energy Law, Pittsburgh, PA, May 24, 2018.

Co-Panelist, “Due Diligence Overview,” AAPL’s Annual Meeting, Orlando, FL, June 15, 2016.

Author, “Chapter 78/78a Rulemaking Moves on to EQB,” *The PIOGA Press*, January 2016.

Co-Author, "Classifications of Wild Trout Streams in Pennsylvania," The PIOGA Press, September 2012.

Co-Author, "Draft Clean Water Act Guidance by the Environmental Protection Agency Could Significantly Expand Clean Water Act Permit Requirements for the Construction Industry," 2 x 4 x 10, Division 10 of the American Bar Association's Forum on the Construction Industry, Summer 2011.

Co-Author, "Don't Forget an Upcoming Reporting Deadline for Two Environmental Programs!," The PIOGA Press, February 2011.

Contributor, "Construction Law Update: Case Law & Legislation Affecting the Construction Industry (2010)," Federal Update, Environmental Law and Administrative and Executive Sections, Division 10 of the American Bar Association's Forum on the Construction Industry, Spring 2011.

Contributor, "Construction Law Update: Case Law & Legislation Affecting the Construction Industry (2009)," Federal Update, Environmental Law and Administrative and Executive Sections, Division 10 of the American Bar Association's Forum on the Construction Industry, Spring 2010.

Co-Presenter, "So You Have the Funding and Rights of Entry - What's Next?," 35th Kentucky Mineral Law Conference in Lexington, Kentucky, October 2010.

Panelist, "Environmental Impact of the Marcellus Shale," Washington County Bar Association, Washington & Jefferson College, September 2010.