



## **Sara M. Burgin**

Of Counsel

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### **About Sara**

Sara Burgin uses her scientific background and more than 30 years of legal experience to assist clients with issues relating to water use, management and disposal. She advises on permitting, compliance and enforcement matters in association with onshore and offshore wastewater and storm water discharges; issues relating to surface water and ground water rights; water contracts; Spill Prevention, Control and Countermeasures (SPCC) plan requirements and applicability issues; Clean Water Act (CWA) jurisdiction; issues associated with public water systems at industrial facilities; and dredge and fill permit requirements.

In addition to her water experience, Sara has also counseled clients on industrial solid waste matters related to wastewater treatment facilities and recycling/reuse of treated wastewater and/or solids resulting from treatment.

Market sources describe Sara as "a guru," "one of the top-quality water lawyers in the state" (*Chambers USA*, 2018) and "one of the top environment lawyers in the state" (*Chambers USA*, 2021).

### **Recent Notable Matters**

**Upstream oil and gas producers** — evaluation of the need for SPCC plans and/or facility response plans in specific circumstances and locations

**Petroleum refinery** — amending a National Pollutant Discharge Elimination System (NPDES) permit authorizing discharge and/or irrigation of refinery wastewater\*

**NPDES permittees** — provide advice and counsel to achieve highest water quality-based permit limits available under applicable state water quality standards

**Major oil companies** — assistance evaluating compliance with NPDES general permits for discharge from offshore oil and gas facilities\*

**NPDES permittees** — representation in various industries facing federal and state CWA civil enforcement actions and CWA, Section 308 information requests

**Energy, chemical and other industrial companies** — provision of counsel on applicability of Safe Drinking Water Act requirements related to provision of potable water to employees of industrial facilities

**Upstream oil and gas operations** — evaluation of available water sources and regulatory requirements, including recycle of produced water, applicable to use of various sources\*

**Industrial facilities** — representation of NPDES permittees in receipt of notice of intent to file citizen suit and negotiation with organization to resolve issues raised by notice and avoid litigation\*

**NPDES permittees** — provision of advice and counsel during renewal and/or amendment of wastewater permits issued by delegated states to respond to objections raised by the U.S. Environmental Protection Agency

**Industrial wastewater discharges** — provision of advice and counsel on permitting requirements applicable and discharges of storm water associated with construction and industrial activities

**Industrial facility** — provision of advice and counsel related to sale of water rights and associated amendments of water rights\*

**Industrial facilities** — evaluation of potential regulatory requirements applicable to various wastewater reuse options\*

\* Work completed prior to Bracewell

## Publications and Speeches

Co-author, “Avoiding criminal liability after a flood: Lessons from Hurricane Harvey,” *Trends*, Section of Environment, Energy, and Resources of the American Bar Association, January/February 2018.

Co-presenter, “Environmental Law’s Not Dead Yet: Optics Versus Reality in the New Administration’s Regulatory Reform Project,” Association of Corporate Counsel South/Central Texas Chapter, July 12, 2017.

Panelist, “Dawn of a New Energy Era? A Look Forward,” Western System Power Pool Conference, April 19, 2017.

“Clean Water Act Section 316(b) and Endangered Species,” *Annual Update on Texas Water Law & Endangered Species*, University of Houston Law Center Environment, Energy & Natural Resources Center, October 14, 2016.

“Surface Focus,” *Rocky Mountain Mineral Law Foundation’s Conference on Water Acquisition and Management for Oil & Gas Development*, Houston, April 8, 2016.

“Waters of the U.S. Rule: Overview and Recent Challenges,” *Austin Bar Association Environmental Law Section CLE*, October 1, 2015.

“Water Issues,” *27th Annual Texas Environmental Superconference*, August 6-7, 2015.

“Update on Surface Water Related Litigation and EPA/TCEQ Activities Related to Temperature,” *Texas/Louisiana Environmental, Health & Safety Seminar*, June 4, 2013.

“Corporate Water Management and the Endangered Species Act,” *Global Environmental Management Initiative (GEMi)*, November 1, 2012.

“Water Use at Industrial Facilities: Current Issues,” *Texas/Louisiana Environmental, Health & Safety Seminar*, June 1, 2012.

## Education

University of Houston Law Center, J.D.  
1982 – *with honors*

Texas A&M University, M.S.  
1977

The University of Texas at Austin, B.A.  
1973

## Noteworthy

Fellow, American College of Environmental Lawyers

*Chambers USA*, Texas Environment, 2004 - 2023

*The Legal 500 United States*, Environment: Regulatory, 2016, 2019 - 2023; Environment: Transactional, 2017; Environment: Litigation, 2016, 2018

BL Rankings, *Best Lawyers*, 1997 - 2024; Austin Lawyer of the Year, Environmental, 2012; Austin Lawyer of the Year, Water Law, 2013, 2016

Lawdragon Inc., *Lawdragon Green 500: Leaders in Environmental Law*, Environmental Law, Especially Water, 2024

Thomson Reuters, *Texas Super Lawyers*, 2003 - 2020

Law Business Research Ltd., *Who's Who Legal*, Environment Global Leader, 2023

ALM Media Properties, LLC, *Texas Lawyer*, Top Notch Lawyer in Environmental Law, 2007; Go-To-Lawyer in Environmental Law, 2002

American City Business Journals, *Austin Business Journal*, Best in Bar, 2003

## **Affiliations**

Texas Bar Foundation, Fellow

## **Bar Admissions**

Texas