

## HAL J. POS

*Vice-Chairman and President  
Shareholder*

### BIOGRAPHY

Hal J. Pos is a shareholder in Parsons Behle & Latimer's Environmental, Energy and Natural Resources practice group where he concentrates on environmental and mining matters with particular emphasis on contaminated properties, CERCLA liability, and property acquisition transactions.

His practice experience includes conducting environmental due diligence in connection with mineral and real estate acquisitions and financings; environmental liability reviews and audits; legacy site cleanups and redevelopment; mine and landfill closures with a particular view towards minimizing potential CERCLA liability; negotiating and drafting environmental indemnity agreements; representing potentially responsible parties under CERCLA in negotiations and litigation with other potentially responsible parties, state and federal agencies, and insurance companies concerning site cleanups; defending environmental toxic tort claims; and representing parties in environmental civil and criminal enforcement matters.

Mr. Pos has published and presented numerous papers before state bars and professional organizations on CERCLA, Brownfields, and environmental litigation and insurance topics.

He currently serves as vice chairman and president and has served on the board of directors of Parsons Behle & Latimer since 1996. He formerly chaired the firm's hiring committee.

### ACCOMPLISHMENTS

#### Academic

Washington University (J.D. 1984)

*Washington University Journal of Contemporary Law*, Recent Developments Editor

Carleton College, *magna cum laude* (B.A., 1981)

Attended University of Copenhagen School of International Business (Copenhagen, Denmark 1980)

Attended Warsaw School of Economic Planning (Warsaw, Poland 1980)



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### PRACTICE AREAS

Environmental & Natural Resources  
Mining

Contaminated Properties  
Transactions & Due Diligence

Appeals & Litigation

Environmental Crimes

Insurance

### LICENSED/ADMITTED

Utah

U.S. Dist. Court, Dist. of Utah

## Professional

*Martindale-Hubbell AV® Preeminent™ Rating*

*Chambers USA Band 1 Rating in Utah for Energy & Natural Resources Law for several years*

*Environmental Law Section of Best Lawyers in America*

*Mountain States Super Lawyers*

*Listed in Best Lawyers in America (10+ years)*

*Best Lawyers' Salt Lake City Environmental Lawyer of the Year (2018)*

*Best Lawyers' Salt Lake City Litigation - Environmental Lawyer of the Year (2014)*

*Best Lawyers' Salt Lake City Environmental Lawyer of the Year (2011)*

*Utah State Bar Energy, Natural Resources and Environmental Law Section, Lawyer of the Year (1996-1997)*

## ASSOCIATIONS

### Professional

TerraLex, Board of Trustees (2011 - Current) Co-Vice Chairperson North America (2015 - Current)

Mountain States Legal Foundation, Board of Litigation (1996 - 2014) Past Chairperson

Utah State Bar, Energy, Natural Resources and Environmental Section, Past Chairperson

Utah State Bar Association, Environmental Law Committee, Past Chairperson

### Community

Salt Lake Chamber of Commerce, Board of Governors

Utah Jewish Family Services, Board of Directors

The McGillis School, Chairman, Board of Trustees (2011 - 2013) Board of Trustees (2008 - Current)

Salt Lake Chamber of Commerce, Environmental Committee, Past Chairperson

## PRESENTATIONS

"Key Federal Environmental Laws Impacting the Mining Industry," University of Utah, Geology Department (December 2011 - 2015)

"Captured by Over-Regulation or Sequestered by Under-Regulation? The Current and Future State of Carbon Capture and Sequestration in the United States," Terralex Global Meeting, Paris, France (September 2013)

"Environmental Issues Related to Hydraulic Fracturing," NBI Seminar - Fracking Law: From Land Contract Negotiations to Environmental Disputes (May 2013)

"Brownfields Projects - Liability Protection," Utah Brownfields Conference: New Opportunities for Communities (May 2010)

"Use of Institutional Controls in Mine Closures, Financial Assurances and Final Reclamation," Rocky Mountain Mineral Law Foundation (November 2009)

"Legal Issues Associated with Carbon Capture and Geologic Storage," Terralex Annual Meeting, Mexico City, Mexico (May 2007)

"Use and Enforceability of Institutional Controls In Risk-Based Environmental Cleanups--They're Cheap and Good Looking, But Will they Last?" 49 Rocky Mountain Mineral Law Foundation (July 2003)

"You Want to Build What? Where? Using Environmental Insurance to Manage Cleanup and Development Risks," 47 Rocky Mountain Mineral Law Foundation (July 2001)

"Administrative, Legislative and Judicial Developments Concerning the Federal Superfund Program," Government Institutes (1999)

"Recent Developments in Environmental Coverage Litigation," Government Institutes (1999)

"Strategic Considerations Concerning Environmental Coverage Claims," Utah State Bar Annual Meeting (July 1996)

"Strategic Considerations in Litigating and Settling Private Cost Recovery Actions for Environmental Cleanups," 40 Rocky Mountain Mineral Law Foundation (July 1994)

"Early De Minimis Settlements Under Superfund," Arizona State Bar Annual Meeting (August 1993)

"Minimizing Superfund Transactional Costs," Association of State and Territorial Solid Waste Management (1992)

"Considerations in Selecting Qualified Environmental Consultants," National Contracts Management Association Meeting (1992)

"Overview of the Remedial Investigations/Feasibility Study Process Under CERCLA," Utah State Bar, Environmental Law Committee (1990)

## PUBLICATIONS

"Captured by Over-Regulation or Sequestered by Under-Regulation? The Current and Future State of Carbon Capture and Sequestration in the United States," TerraLex Connections (December 26, 2013)

"Implementing Institutional Controls at Brownfields and Other Contaminated Sites," *American Bar Association (2nd Ed. 2012), Chapter 59* (June 2012)

Co-Author: "Use of Institutional Controls in Mine Closures, Financial Assurances and Final Reclamation," 47 *Rocky Mountain Mineral Law Foundation, Journal 77, 8-1* (November 2009)

Co-Author: "Use and Enforceability of Institutional Controls In Risk-Based Environmental Cleanups--They're Cheap and Good Looking, But Will they Last?" 49 *Rocky Mountain Mineral Law Institute 23-1* (July 2003)

Co-Author: "You Want to Build What? Where? Using Environmental Insurance to Manage Cleanup and Development Risks," 47 *Rocky Mountain Mineral Law Institute, 20-1* (July 2001)

"Strategic Considerations in Litigating and Settling Private Cost Recovery Actions for Environmental Cleanups," 40 *Rocky Mountain Mineral Law Institute, 6-1* (July 1994)

Co-Author: "Utah Environmental Law Handbook," *Government Institutes* (1993)

## REPRESENTATIVE MATTERS

Cleanup of former uranium mine in New Mexico.

Cleanup cost recovery.

CERCLA financial assurance rulemaking.

Cleanup of existing smelter facility in Peru.

Recovery of over \$25 million for environmental cleanup.

Recovery of over \$65 million in environmental cleanup costs.

Defense of EPA CERCLA liability claims and toxic tort lawsuit.

PCE cleanup cost recovery lawsuits.

Acquisition and cleanup of former manufacturing facility.

Defense of environmental crimes lawsuit.