



## Jennifer J. Cave

**Title:** Member

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Jennifer Cave is a member of the firm's Environmental, Natural Resources & Energy Service Group. She works closely with businesses to ensure compliance with state and federal environmental laws and regulations. Her experience includes assisting and advising clients on the Clean Air Act and state air pollution laws as well as applying for, negotiating the terms of, and complying with air permits, including Title V and Prevention of Significant Deterioration (PSD) permits, NPDES wastewater permits, and solid waste landfill permits. She has significant experience defending clients in administrative and civil enforcement actions and citizen suit litigation. Jennifer also counsels domestic and international manufacturers on the importation and sale of mobile sources, including non-road engines, vehicles and equipment under the Clean Air Act.

Jennifer guides clients through transactions involving the purchase and sale of contaminated properties and she has experience evaluating environmental due diligence investigations including Phase I Environmental Site Assessments and Phase II Subsurface investigations. She frequently works with clients and their consultants to perform facility or programmatic environmental audits and helps prepare for facility inspections and to develop regulatory response. Jennifer also provides compliance advice on new regulatory proposals and drafts public comments on these rules.

Jennifer also has extensive experience evaluating and litigating coverage for complex and long-tail environmental contamination claims under general liability and pollution liability policies written by both domestic and foreign insurers.

## Capabilities

### Practice Areas

- Administrative Law
- Environmental Litigation
- Environmental Surety Law
- Environmental Transactions & Due Diligence
- Environmental, Natural Resources, & Energy
- Health Care - Environmental
- Manufacturing
- Natural Resources & Energy
- Regulatory Counseling / Permitting
- Sustainability & Emerging Technology

## Recent News, Articles & Speaking Engagements

- The X Factor . . . Pathways to Plant Security in the New Millennium
- Caveat Emptor? Strategies to Avoid Environmental Enforcement in a New U.S. EPA Era
- Developments in Federal and Kentucky Environmental Law
- [New U.S. EPA Rules to Place Restrictions on Health Care Industry Wastes](#)
- [New guidelines for dental offices](#)
- Shaking the Dust Off Air Toxics in Kentucky
- (DO Not) Go Directly to Jail . . . Strategies for Avoiding State and Federal Environmental Enforcement
- Sustainability Best Practices: Sustainable Materials Management in Manufacturing
- EHS Basics 101: Environmental Regulatory Updates & Compliance Strategies
- Lions and Tigers and Bears, Oh My! (Forms and Portals and Demand Response, Oh My!)
- Use of EPA's eDisclosure Portal in Environmental Audits

- Current Trends in Federal and Ohio Environmental Enforcement
- Decoding the Hazardous Waste Generator Improvements Rule
- Waste Not; Want Not
- Basics: Environmental Regulations, Regulatory Updates & Compliance Strategies
- Current Trends in Indiana & Kentucky Environmental Enforcement
- The End of Life: Coal-Fired Power Plant Closure Factors & Implementation
- Trends in Environmental Enforcement and Startup, Shutdown, Malfunction Update
- Current Trends in Federal Indiana, Kentucky and Ohio Environmental Enforcement
- Environmental Implications for Plant Shutdowns
- SCOTUS 13-14 Environmental Case Review

## Recent Assignments

- Negotiated a coverage settlement on behalf of an excess insurance carrier in a matter involving claims made in connection with contaminated sediments at the Portland Harbor Superfund site.
- Conducted a Clean Air Act audit and negotiated penalty amnesty with state air agency for a large, coal-fired power plant.
- Obtained hardship relief from U.S. EPA for a manufacturer of non-road equipment following supply chain shortages of compliant engines resulting from the 2011 tsunami in Japan.
- Evaluated state and local air permitting requirements for a nationwide product recall by a Japanese automotive manufacturer.
- Prepared a combined PSD/Title V Permit Application for a proposed coal-fired power plant.
- Counseled museum with respect to assessment for possible toxic mold growth inside museum building.
- Defended a major oil company against CERCLA liability in federal court relating to an accidental release of product from a rail car.
- Advised telecommunications company regarding state air permitting requirements for emergency generators at cell tower sites.
- Defended an insurance company in coverage action resulting from the release of radioactive materials into a city sewer system by a manufacturer of aircraft engine parts.
- Advised client with respect to assessment, remediation, and potential sale of a former electric transformer manufacturing facility.

## Bar Admissions

- Kentucky
- U.S. Court of Appeals for the 6th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Western District of Washington
- Washington

## Memberships

- Kentucky Bar Association
- Louisville Bar Association

## Community Involvement

- Louisville Regional Science and Engineering Fair, Board of Directors, Vice President of Legal & Business Affairs (2018-21)
- Kentucky Air and Waste Management Association, Board of Directors (2017-19)
- Women Environmental Leaders of Louisville (WELL), Co-Founder
- KMAC Museum, Board of Directors (2017-20)
- Louisville Energy Alliance, Board of Directors (2017-19)
- Leadership Louisville, Class of 2019

## Education

- Seattle University School Of Law J.D. *magna cum laude* 2004
  - Environmental Law Society; Faculty Scholar Award Nominee
- University Of Kentucky B.S. *cum laude* Biology 1997
  - Equestrian Team; Alpha Omicron Pi

## More Than Stites & Harbison

Prior to law school, Ms. Cave was an environmental consultant specializing in environmental contamination assessment and remediation, asbestos abatement, and hazardous waste compliance across the United States. During law school, she interned with the Office of Regional Counsel for the United States Environmental Protection Agency in Seattle (2002). Ms. Cave is an avid horsewoman who enjoys competing in the sport of eventing. When she's not at the barn, she can be found spending time outside with her two rescue dogs, Mason and Malcolm, and cheering on Collegiate lacrosse.

## Accolades

- *Martindale-Hubbell*® AV-Preeminent® Peer Review Rated
- *Best Lawyers in America*®, Environmental Law (2017-19)
- *Kentucky Super Lawyers*®, Rising Stars (2013-16)
- Leadership Lexington Distinguished Leader Award (2013)
- Kentucky Bar Association Continuing Legal Education Awards (2012-2016)

## Awards

