



## ROGER L. FREEMAN Partner

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(303) 892-7414 phone (303) 893-1379 fax

### Expertise

Construction Contracts, Energy Industry, Environmental Law, Indian Law, Mining, Natural Resources, Oil & Gas Industry, Safety & Health, and Uranium Mining & Development

### Education

University of Denver, J.D., 1985

University of Michigan, B.S., 1981

### Admitted In

Colorado



**Roger Freeman** maintains a diverse practice in environmental and occupational health law, helping clients address a range of issues, from environmental compliance matters to governmental enforcement actions. He has organized and overseen numerous clean-up projects, including voluntary clean-up initiatives and other remediation efforts.

Mr. Freeman often serves as lead counsel in litigation, arbitration and related contested proceedings under environmental law. He has assisted numerous entities

*Emphasizing pragmatic solutions to complex problems, Roger Freeman maintains a diverse practice in environmental and occupational health law.*

in allocating clean-up costs under Superfund and other environmental statutes, and in seeking recovery from third parties for environmental liabilities. He has extensive experience with hazardous waste handling, storage, disposal and cleanup issues. He assists clients with a variety of administrative matters involving governmental agencies, including penalty proceedings and other enforcement matters.

Mr. Freeman has vast expertise in environmental and safety issues surrounding the exploration and production of oil and gas, and has represented numerous buyers and sellers on a range of environmental due diligence and transactional matters. He recently served as lead counsel in an arbitration over environmental defects in a complex oil and gas transaction. He has authored numerous papers and presentations in this area, listed in the articles and speeches section of this website.

Mr. Freeman applies his diverse background as an Adjunct

Professor at the University of Denver College of Law, and as a member of various environmental boards, to seek multi-faceted solutions to complex environmental problems on behalf of his clients. For example, he has forged cooperative efforts to engineer a number of voluntary clean-ups under federal and state law. He was a key player in the Brownfields clean-up surrounding the construction of the Pepsi Center Arena in Denver.

Mr. Freeman is an environmental lawyer active in a variety of renewable energy and transportation projects and groups throughout the Rocky Mountain West and California. He has an extensive network of political and agency relationships dating back to the work of his father, S. David Freeman, who has been a preeminent force in the emergence of renewable energy and conservation issues since the 1960s. Mr. Freeman uses his experience and understanding to help expedite project steps and creatively solve legal constraints to the development of renewable and advanced transportation projects.

Mr. Freeman often tackles environmental issues associated with the mining industry, including remediation of mine wastes. He is the long-time Environmental Editor for the *Rocky Mountain Mineral Law Foundation's Mineral Law Newsletter*. His numerous publications in the mining field include "Clean-up on the Federal Lands Meet the Private Sector" published by the Rocky Mountain Mineral Law Foundation in 1998.

Mr. Freeman has vast experience in handling environmental issues related to uranium mill tailings and other radioactive materials. He has worked with numerous mining companies on UMTRCA and NRC compliance matters and licensing proceedings. He has worked with a number of medical and research institutions, including the National Jewish Center in Denver, on the handling and disposal of radioactive isotopes and other source materials generated in this process. He has spearheaded environmental due diligence teams on numerous

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transactions involving nuclear materials and regularly interacts with technical personnel in his practice.

Mr. Freeman also represents clients on occupational safety and health matters, including interactions with the U.S. Occupational Safety and Health Administration (“OSHA”). He has assisted numerous companies and other entities in responding to OSHA investigations, interpreting OSHA regulations, and handling OSHA citations and penalty proceedings.

Mr. Freeman takes pride in giving pragmatic, sound counseling in all areas of law, often providing basic business counseling to his clients. He is an expert in seeking recovery for environmental costs under insurance policies. Whether through counseling, negotiation, litigation or alternative dispute resolution processes, Mr. Freeman emphasizes cost-effective solutions to environmental and occupational health issues for each of his clients.

### In The News

- *Lowry cleanup likely to top \$134.5 million*, Rocky Mountain News, 9/26/2006
- *OSHA cites firm over fire, injuries*, The Denver Post, 3/24/06

### Recent Published Articles

- Tenth Circuit Issues Important Ruling on Application of Clean Water Act to Inactive Mine Sites (2005, Rocky Mountain Mineral Law Foundation)
- Environmental Checklist for Oil and Gas Operators, AAPL Annual Conference (2003)
- Environmental Checklist for Oil and Gas Operators, Rocky Mountain Mineral Law Foundation (July, 2002)
- Environmental Due Diligence in the Oil Patch: Who Does What When, COGA/RMOGA Environmental Peer Group (2002)
- New Developments In Wetlands Program, Rocky Mountain Mineral Law Foundation, Vol. 19, No. 1 (2002)
- OSHA Still At the Door – Agenda for the 1990s, DGS Annual Employment Seminar (2001)
- Supreme Court Limits Scope of Federal Jurisdiction Over “Waters of the United States”, Rocky Mountain Mineral Law Foundation, Vol. 18, No. 1 (2001)
- Two Circuit Court Decisions Limit Claims Against Oil Producers, Rocky Mountain Mineral Law Foundation, Vol. 18, No. 3 (2001)
- Emerging Safety and Health Issues in the Oil Patch (and How to Work with Contractors), (Jan. 2001)
- Ergonomic Issues: Workplace: OSHA Is Trying to Regulate Injuries to Employees, Colorado Journal (Feb. 2000)
- Federal Appeals Court Sets Aside Reclamation/ Recycling Provisions of RCRA Mineral Processing Rule, Rocky Mountain Mineral Law Foundation, Vol. 17, No. 2 (2000)
- Brokering Solutions: Alternative Dispute Resolution Is a Viable Option in CERCLA Dispute (Colorado Journal (Mar. 1999))
- Enforcement Actions Continue To Unfold Under Oil Pollution Act, Rocky Mountain Mineral Law Foundation, Vol. 16, No. 4 (1999)
- Oil Spills Under the Clean Water Act and Oil Pollution Act: Emerging Issues & Trends (May, 1998)
- Outline of Recommended Procedures in Responding to OSHA Investigations, DGS Annual Employment Seminar (1998)
- Cleanup on the Federal Lands Meets the Private Sector (Forty-Fourth Annual Rocky Mountain Mineral Law Institute, Reno, Nevada (1998))
- Breakfast Briefing on Current Environmental Issues Facing the Oil and Gas Industry (May, 1998)
- District Court Rules That Federal Government’s Wartime Involvement In Mining Does Not Give Rise TO CERCLA Liability and That It Is Entitled To Third Party Defense, Rocky Mountain Mineral Law Foundation, Vol. 15, No. 1 (1998)
- Hot Topics in Region VIII – Co-Chair (1995 & 1997)
- Key Environmental Issues in U.S. EPA Region VIII – Voluntary Cleanups in Colorado Emerging Issues, American Bar Association, Section of Natural Resources, Energy and Environmental Law (September 18, 1997)
- Reviving Third-Party Liability Defense (*Colorado Real Estate Journal*, p. 15 (June, 1997))
- Two Federal Courts Confirm the Recoverability of Government’s Monitoring Costs For Oil Spills Under OPA, Rocky Mountain Mineral Law Foundation, Vol. 14, No. 1 (1997)