



Brett A. Miller

Associate

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Brett's practice is dedicated to representing the oil & gas industry in Texas and Louisiana, including petrochemical facilities and petroleum refineries, in Clean Air Act permitting, compliance, and enforcement matters.

Brett advises manufacturing, energy, and chemical companies in regulatory and litigation matters related to air quality issues under federal and state laws, including New Source Review and Title V permitting, as well as MACT/NESHAP and NSPS compliance. He has counseled clients on numerous state and federal enforcement disputes related to alleged violations of the Clean Air Act, Risk Management Plan, RCRA, and Clean Water Act.

Brett's Gulf Coast science background gives him unique insight into managing technical experts, data analysis, and navigating environmental permitting challenges. He has diverse experience identifying environmental risks and liabilities, managing transactional due diligence, negotiating with regulatory agencies, litigating complex commercial disputes, and securing permits for project development.

Before joining B&D, Brett was an asset manager for a private equity firm focused on groundwater and surface water investments where he developed monetization strategies for assets in the Permian Basin, Brazos River, Houston-area, and across Texas. He gained valuable experience as a commercial litigation associate at a large law firm in Dallas-Fort Worth prior to B&D. Brett clerked with XTO Energy, leading global private investment firm TPG Capital, and the Texas Oil & Gas Association during law school.

Brett graduated *magna cum laude* from Texas A&M University School of Law after earning his master's degree at Louisiana State University. After growing up in central Texas, he earned his bachelor's degree from Rhodes College, where he played baseball. Before law school, he worked on commercial fishing boats as a fisheries observer in the Bering Sea.

Education

- Rhodes College (B.S., 2009)
 - Biology (major); History & Environmental Science (minors)
- Louisiana State University (M.S., 2013)
 - Freshwater Ecology – School of Renewable Natural Resources

- Thesis: *Effects of Physicochemical Properties & Macrohabitat on the Foraging Ecology of the Centrarchid Assemblage of the Atchafalaya River Basin, Louisiana*
- Texas A&M University (J.D., *magna cum laude*, 2016)
 - *Texas A&M Law Review*, Articles Editor
 - ConocoPhillips Texas A&M Energy Institute Fellowship, 2015-16
 - Hartrick Scholar Writing Award, Institute for Energy Law, February 2016
 - Inductee, National Order of Scribes, American Society of Legal Writers, May 2016

Bar Admissions

- Texas

Court Admissions

- U.S. District Court – Eastern District of Texas

Professional Affiliations

- Third Leadership Class, Institute for Energy Law, 2020-21
- Co-Chair - Programs Subcommittee for Young Energy Professionals, Institute for Energy Law, 2022-23
- Co-Chair - Law Student Subcommittee for Young Energy Professionals, Institute for Energy Law, 2023-24

Publications

- *Hydraulic Fracturing Interactions with and Implications for Groundwater*, Ch. 13" in *Regulating Water Security in Unconventional Oil & Gas* (2020 – Springer Publishing)
- *Navigating the Confluence: Sources of Reconciliation Flowing Between the Human Right to Water and Economic Efficiency*, 28 *Duke Environmental Law & Policy Forum* 105 (2017)
- *Come and "Take" It: Whooping Cranes, Texas Water Rights, Endangered Species Act Liability, and Reconciling Ecological Scientific Testimony Within the Context of Proximate Causation*, 34(1) *UCLA Journal of Environmental Law & Policy* 99 (2016)
- *Embracing the Water-Energy Contradiction: The Pebble Mine Conflict and Regulatory Implications Associated with Renewable Energy's Dependence on Non-Renewable Copper*, 19(2) *University of Denver Water Law Review* 213 (2016)
- *Diet Partitioning in a Diverse Centrarchid Assemblage in the Atchafalaya River Basin, Louisiana*, 144 *Transactions of the American Fisheries Society* 780-791 (2015)

Publications

March 22, 2024

EPA Issues Enforcement Alert Targeting BWON and QQQ Noncompliance at Refineries and Chemical Manufacturers

Beveridge & Diamond

December 12, 2023

It's Not Your Imagination: It's Getting Even Harder to Permit Your Project In Texas

Beveridge & Diamond

October 20, 2022

EPA Letter of Concern Cements Use of Title VI/Environmental Justice as Permit Challenge Tool

Beveridge & Diamond

October 20, 2022

TCEQ Announces New Public Involvement Plan

Beveridge & Diamond