

STATEMENT OF BERNARD A. LABUSKES, JR.
Nominee for Reappointment to the
Environmental Hearing Board

Before the Senate Environmental Resources and Energy Committee

Madam Chairman, Honorable Members of the Environmental Resources and Energy Committee, thank you for providing me with the opportunity to present brief testimony in support of my renomination to the Pennsylvania Environmental Hearing Board. As you know, I was originally appointed by Governor Ridge and confirmed by the Senate in November 1998. I was reappointed by Governor Rendell and unanimously confirmed in 2005. I now have completed two six-year terms, and Governor Corbett has seen fit to nominate me for a third.

I have attached a copy of my resume to this written statement. I have now been involved in the field of environmental law for more than 27 years, first for two years as an attorney with the Department of Environmental Resources, then in private practice for 13 years, and then during the last 12 years as a Member of the Board. It has been a tremendous honor and privilege to serve on the Board. It is an exciting time to be working in the environmental field and I am glad to be a part of it. I believe that I have shown over the years that I am able to see all sides of an issue, that I can get the job done in a timely manner, that I contribute my fair share to the collegial working relationship that we have established and

maintained at the Board, and that I have a suitable character and temperament for the position.

I hope that you will deem it appropriate to recommend confirmation of my reappointment to the Senate. Thank you again for your time and consideration. Although I have met with most of you individually either this time or on the occasion of my prior nominations, I would certainly welcome any additional questions that you might have.

Bernard A. Labuskes, Jr.

1711 Lincoln Street
Camp Hill, PA 17011
(717) 763-4636 (h)
(717) 645-5465 (c)

Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105
(717) 787-1637
blabuskes@state.pa.us

Objective

Reappointment to a third term as a Member of the Environmental Hearing Board

Professional Experience

Commonwealth of Pennsylvania, Environmental Hearing Board, Harrisburg, PA

Board Member and Judge, 1998 - Present

- Appointed by Governor Ridge on November 23, 1998
- Reappointed by Governor Rendell on March 15, 2005
- Confirmed by Senate unanimously on both occasions under the sponsorships of Senators Mowrey and Vance
- Over the course of my 12+ years on the Board, I have presided over dozens of hearings, arguments, negotiations, and conferences and issued hundreds of Adjudications, Opinions, and Orders

McNees, Wallace & Nurick, Harrisburg, PA

- 1987-1991 Associate, Environmental Law Practice Group
- 1991-1995 Partner, Environmental Law Practice Group
- 1995- 1998 Partner and Chair, Environmental Law Practice Group
- Practice focused on environmental counseling and litigation

Pennsylvania Department of Environmental Resources, Harrisburg, PA

- 1985- 1987 Assistant Counsel – Bureau of Litigation

Manion, Alder & Cohen, Pittsburgh, PA

- 1983- 1985 Associate – Litigation Department

Clerkship

Chief Judge Charles Clark, Fifth Circuit, United States Court of Appeals 1982-1983

Education

University of Pittsburgh School of Law, Pittsburgh, PA

J.D. May 1982 *Magna Cum Laude*, Order of the Coif

Class Rank: Top 5%

University of Pittsburgh Law Review: Member 1980-81, Senior Comments Editor 1981-82

Pennsylvania State University (University Park Campus)

B.A. May 1979 History *Magna Cum Laude*

Honors History Program, Phi Beta Kappa, Phi Alpha Theta (honors history fraternity)

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Adjunct Professorships

Penn State Dickinson School of Law

2005 - Present (Spring Semester)

Adjunct Professor - Environmental Litigation

Advisor - Environmental Law Journal, Environmental Moot Court Team; Mentor - Externship Program

Widener School of Law

2010 - Present (Fall Semester)

Adjunct Professor - Environmental Litigation

Publications and Presentations

Numerous presentations and published materials for Pennsylvania Bar Institute, other CLE organizations, and Chambers of Commerce (e.g., *Pennsylvania Environmental Law and Practice*, Chapters on the Clean Streams Law and the Hazardous Sites Cleanup Act; annual speaker on ethics and environmental litigation at Environmental Law Forum, Aspects of Business Transactions, Hazardous Waste Law, Clean Water Act Developments)

Memberships

Pennsylvania Bar Association

Elected Member of Environmental Section Council, 2010 - Present

Pennsylvania Supreme Court

United States Court of Appeals, Third and Fifth Circuits

United States District Court, Western, Middle, and Eastern Districts of Pennsylvania

References

Honorable Thomas W. Renwand
Chairman and Chief Judge
Environmental Hearing Board
301 5th Avenue, Suite 310
Pittsburgh, PA 15222
(412) 565-3608

William Ward, Esquire
Chief of Staff
Commonwealth of Pennsylvania
225 Capitol Building
Harrisburg, PA 17120
(717) 787-2500

Michael L. Krancer, Esquire
Acting Secretary, Department of
Environmental Protection
400 Market Street, 16th Floor
Harrisburg, PA 17105
(717) 787-2814

Terry R. Bossett, Esquire
Vice-President Government Affairs
Chief Oil and Gas LLC
200 N. Third Street, Suite 4B
Harrisburg, PA 17101
(717) 230-8121