

## Mary W. Koks



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### Education

LL.M. from University of Houston Law Center  
J.D. from South Texas College of Law Houston  
M.A. from University of South Carolina  
B.A. from University of South Carolina

### Bar Admissions

Texas  
United States District Court for the Eastern, Northern,  
Southern and Western Districts of Texas  
United States Supreme Court

### Related Practices

Environmental  
    Condemnation & Eminent Domain  
    Environmental Litigation  
    Environmental Transactions  
    Regulatory Law  
Litigation  
    Energy Litigation  
    Insolvency Litigation

### Related Industries

## Overview

Mary joined the Firm in 2005, and has more than 40 years of experience in the environmental arena, focusing on environmental litigation, enforcement, remediation, compliance, counseling, transactional and permitting matters.

She regularly represents clients in administrative and civil enforcement cases before the Environmental Protection Agency (EPA), Texas Commission on Environmental Quality (TCEQ) and State Office of Administrative Hearings (SOAH). Many of Mary's clients recognize that her strong working relationships with each of these agencies allows complicated processes to move forward more quickly.

Mary also represents potentially responsible parties and landowners in environmental lawsuits including bankruptcy matters, toxic tort, property claims and suits brought under various environmental acts including Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), Clean Water Act (CWA), Clean Air Act (CAA) and comparable state statutes. Mary is board certified in business bankruptcy and regularly assists her environmental clients in asserting claims in bankruptcy proceedings, and represents several large Environmental Bankruptcy Trusts set up by Debtors, the EPA and Department of Justice to ensure that extremely contaminated properties are remediated.

In addition, she assists and advises clients on environmental issues in real estate related transactions, corporate acquisitions and mergers, insurance claims as well as regulatory compliance, supervision of environmental compliance audits and the Spill Prevention

## Energy

### Achievements

*American Lawyer Media* – Top Rated Lawyer for Energy, Environmental and Natural Resources (2013)

*Chambers USA* – Leaders in Their Field, Environmental – Texas (2010-2012)

*H Texas Magazine* – Top Lawyers (2009-2011, 2014-2015)

*Houstonia Magazine* – Top Lawyer, Environmental (2022-2023)

*Martindale-Hubbell*® AV® Preeminent™ Peer Review Rated

National Diversity Council – Houston's Top 50 Women in Law (2017)

*Thomson Reuters* – Texas Super Lawyers (2006-2023); Texas Super Lawyers, Business Edition and Corporate Counsel Edition (2009); Texas Super Lawyers: Women's Edition (2006-2023)

*Woodward/White, Inc.* – Best Lawyers in America, "Lawyer of the Year" (2017, 2023); Best Lawyers in America, Environmental Law (2007-2024); Best Lawyers in America, Litigation – Environmental (2011-2024)

### Memberships

American Bar Association, Environmental and Natural Law Section (SDF Committee, Membership Chair)

Houston Bar Association, Environmental Section (Past Chair)

State Bar of Texas, Environmental and Natural Resources Section (Past Chair; Current Pro-Bono Committee Chair)

Texas Bar Foundation (Fellow)

## Control and Countermeasures (SPCC) plans.

Mary's clients appreciate that no matter how complex a situation may be, she has the ability to immediately clarify and narrow the primary deal issues so they can be adequately resolved. This, in turn, enables her to quickly address the more minor stumbling blocks in a given case. Throughout her career, Mary has developed subject matter expertise and unparalleled experience that allow her to effectively and efficiently represent major clients in their environmental affairs.

## Experience

### Environmental Trust

Represented an environmental custodial trust in legal issues relating to the negotiation and sale of numerous Trust Assets; demolition of on Site plant and stacks; coordination with regulatory agencies and the DOJ on remediation of third party sales of assets, real property and third party property, establishment of deed restrictions and OM&M work; public outreach initiatives; coordination with city, county and local state representatives on site use; remedial objectives and zoning; various real property issues, including updating surveys, easements and right of way issues, utility expansion, ad valorem tax reductions, TXDot road construction and expansion projects and access issues; and contract agreements with Environmental Consultants and subcontractors, third party buyers, real estate brokers, surveyors and insurance.

## Environmental Trust

Represented an environmental trust in legal issues relating to negotiating a Settlement Agreement and Environmental Trust Agreement, coordination of site ownership and operational issues between the Environmental Trust and the Liquidating Trust; coordination with regulatory agencies and the DOJ on site remediation, use of financial assurance trust monies, third party real property acquisition and use of each Trust's assets; Trust tax obligations; various real property issues including updating surveys, easements issues and ad valorem tax reductions; and contract agreements with Environmental Consultants and subcontractors, third party buyers, surveyors and insurance.

## Environmental Trust

Represented an environmental trust in legal issues relating to ownership of the site and four adjacent parcels of land; coordination with regulatory agencies and the DOJ on site remediation and use of financial assurance trust monies; Trust tax obligations; various real property issues including updating surveys and ad valorem tax reductions; and contract agreements with environmental consultants and subcontractors.

## Environmental Trust

Represented an environmental trust in legal issues relating to negotiating a Settlement Agreement, Environmental Trust Agreement and Plan of Reorganization issues as it related to an assignment of various obligations and liabilities from the Trust, assignment to the Trust of various contracts and transaction documents and a Stipulation Agreement; legal issues relating to site ownership, operational issues, various environmental liabilities (including permit issues, Consent Decree obligations, SEP obligations and Marine Study), cost and budget requirements between the Trust and the adjacent property owner; coordination with the Virgin Islands government, the EPA and the DOJ on Site remediation, permit issues, Consent Decree obligations, use of financial assurance RCRA trust monies and other Trust monetary requirements and Trust tax obligations; various real property issues, including updating surveys and deed recordation issues; contracting and agreements with Environmental Consultants and subcontractors, employment contracts, recycle companies, surveyors and insurance.

## Superfund

Represents several generators at a superfund site, and also acts as Chair of the Steering Committee for the matter.

## Superfund

Served as Common Counsel for the cooperating parties at several superfund site in Texas. These groups are comprised of large oil and gas, chemical and manufacturing companies who have been determined to be "potentially responsible parties" for remediating the superfund Sites. The Munsch Hardt team leads the negotiations with the EPA, DOJ and TCEQ on the type and form of remediation at the Sites, the Consent Orders for conducting the work, managing the contractors to do the work and eventually negotiating with the federal Natural Resource Trustees for natural resource damages.

## Environmental Litigation

Represented PRP Groups as Common Counsel in both federal and state court litigation with prior and current Site owners over liability under CERCLA and Texas Solid Waste Disposal Act for remedial and removal cost recovery actions.

## Environmental Litigation

Represented individual PRPs in various federal and state court litigation over CERCLA and Texas Solid Waste Disposal Act claims for remedial and removal cost recovery actions.

## Environmental Litigation

Represented current landowners against prior owners and operators for response costs to clean up previously contaminated properties under both state and federal statutory claims and contract indemnity claims.

## Environmental Litigation

Represented PRPs in defending cost recovery claims from third party claimants for damages based on waste allegedly migrating offsite from contaminated property, including property devaluation damages, nuisance and negligence.

## Environmental Litigation

Represented landowners in cost recovery claims against tenants whose operations resulted in contamination to leased property.

## Environmental Litigation

Represented landowners in litigation brought by current tenants for purported "vapor" exposure.

## Environmental Litigation

Represented companies in litigation brought by adjacent landowners under Citizen Suit claims for RCRA violations.

## Environmental Litigation

Representing the 53 largest principally responsible parties at a federal superfund site, as common counsel, in litigation involving the contamination at the site.

## Environmental Litigation

Acting as co-counsel of the Steering Committee at a federal superfund site in Texas.

## Environmental Litigation

Representing waste disposal companies in Enforcement actions brought by the EPA.

## Environmental Litigation

Represented oil field services companies, pipeline companies, specialty waste disposal companies and manufacturers in permit violation cases.

## Environmental Litigation

Represented the parent company of three affiliated specialty contractors in the areas of tank cleaning and waste processing, in various environmental matters.

## Environmental Litigation

Represented several multinational oil companies in different private cost-recovery actions in Texas under Comprehensive Environmental Response, Compensation, and Liability Act.

## Environmental Litigation

Represented an energy company, as defendant, in a suit to recover clean-up costs under the Texas Solid Waste Disposal Act.

## Environmental Litigation

Represented a natural gas pipeline company defending claims of more than 200 property owners for alleged contamination covering more than 70 acres in a residential and commercial neighborhood.

## Environmental Litigation

Represented various nationwide manufacturers' remediation and private cost recovery superfund litigation in several states including Texas, Louisiana, Alabama, Oklahoma, Virginia, Illinois, Indiana and Arkansas.

## Environmental Litigation

Represented a major oil and gas company on compliance issues with the Migratory Bird Act and the Endangered Species Act resulting in no fines.

## Environmental Litigation

Represented an oilfield services company with historical disposal of waste containing mercury and negotiated liability with the Alabama Department of Environmental Management (ADEM) and various subcontractors.

## Environmental Litigation

Represented a major oil and gas company in determining liability relating to superfund and other sites in Alaska.

## Newsroom

**Press Release:** Texas Super Lawyers® 2024 Top Women Attorneys List Recognizes Seven (7) Munsch Hardt Attorneys

**Press Release:** 14 Munsch Hardt Attorneys Recognized in 2023 Texas Super Lawyers® Directory

**Press Release:** 'Best Lawyers in America®' Names 54 Munsch Hardt Attorneys to its 2024 List and Two as 'Lawyers of the Year'

**Press Release:** 2022 Texas Super Lawyers® Recognizes 13 Munsch Hardt Attorneys

**Press Release:** Munsch Hardt Attorneys Honored as 2023 'Best Lawyers in America®,' 'Ones to Watch', and 'Lawyer of the Year'

**Press Release:** Twelve Munsch Hardt Attorneys Named to 2021 Texas Super Lawyers List

**Press Release:** Munsch Hardt Attorneys Honored as 2022 'Best Lawyers in America', 'Ones to Watch' and 'Lawyer of the Year'

**Press Release:** Fifteen Munsch Hardt Attorneys Named to 2020 Texas Super Lawyers List

**Press Release:** Munsch Hardt Attorneys Honored as '2021 Best Lawyers in America' and 'Ones to Watch'

**Speech:** Career Transitions – from Associate to Partner, Law Firm to In-house

**In The News:** Mary Koks Named Munsch Hardt's Houston Office Managing Shareholder

**In The News:** Munsch Hardt Taps New Office Head in Houston

**Press Release:** Munsch Hardt Appoints Mary W. Koks to Managing Shareholder of Houston Office

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized on 2019 Texas Super Lawyers List

**Press Release:** Twenty-Five Munsch Hardt Attorneys Honored as '2020 Best Lawyers in America'

**Press Release:** 2 Munsch Hardt Attorneys Elected as Fellows of the Texas Bar Foundation

**Speech:** When Financing Goes Bad: Doing Deals and Litigating Cases When Bankruptcy, Workouts, or Ability to Pay for Environmental Liabilities is at Issue

**Press Release:** Seventeen Munsch Hardt Attorneys Included on 2018 Texas Super Lawyers List

**Press Release:** Twenty-One Munsch Hardt Attorneys Recognized as 2019 "Best Lawyers in America"

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized as 2017 Texas Super Lawyers

**Press Release:** Eighteen Munsch Hardt Attorneys Honored as '2018 Best Lawyers in America'

**Speech:** All Good Things Must End: Decommissioning Oil and Gas Facilities

**Press Release:** Munsch Hardt Congratulates its 14 Texas Super Lawyers

**Press Release:** Two Munsch Hardt Attorneys Recognized as Houston's Top Lawyers 2016

**Press Release:** Twenty-Two Munsch Hardt Attorneys Recognized as 2017 Best Lawyers in America

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized as 'Best Lawyers in America 2016'

**Press Release:** Munsch Hardt Shareholders Biskamp, Koks and Wahrlich Recognized as Houston's Top Lawyers

**Press Release:** Munsch Hardt Attorneys Recognized as 2014 Super Lawyers

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized as 'Best Lawyers in America 2015'

**Press Release:** Munsch Hardt Attorneys Recognized as Houston's Top Lawyers 2014

**Article:** Environmental Liabilities and the Chapter 7 Trustee

**Press Release:** Best Lawyers 2014 Recognizes Munsch Hardt Attorneys

**Press Release:** Munsch Hardt Attorneys Named Top Lawyers in 2013 By H Texas Magazine

**Press Release:** Koks Named Top Rated Lawyer for Energy, Environmental and Natural Resources

**Press Release:** U.S. News Best Lawyers Recognizes Munsch Hardt Attorneys as Texas' Best

**Press Release:** U.S. News - Best Lawyers Recognizes Munsch Hardt Attorneys

**Press Release:** Munsch Hardt Attorneys Recognized by Thomson Reuters Super Lawyers 2012

**Press Release:** Best Lawyers Recognizes Munsch Hardt Attorneys

**Press Release:** Munsch Hardt Receives Honor Recognition from Chambers USA

**Press Release:** Nine Munsch Hardt Attorneys Designated Super Lawyers

**Press Release:** Munsch Hardt Attorneys Recognized as Best Lawyers in America

**Press Release:** Munsch Hardt Attorneys Named Top Lawyers

**Press Release:** Munsch Hardt Recognized in Chambers USA 2011

**Press Release:** Munsch Hardt Attorneys Named Best Lawyers in America



**Press Release:** Six Munsch Hardt Attorneys Named Leaders in Their Field by Chambers USA 2010

**Press Release:** Munsch Hardt Attorneys Recognized as Texas Super Lawyers 2009

**Press Release:** Munsch Hardt Attorneys Named Best Lawyers in America 2010

**Press Release:** Two Munsch Hardt Lawyers Named Among Houston's Top Lawyers

**Press Release:** Three Munsch Hardt Lawyers Designated Super Lawyers in Corporate Counsel Edition

**Press Release:** Munsch Hardt Shareholders Named Among Best Lawyers in America

**Press Release:** Nine Munsch Hardt Shareholders Named Texas Super Lawyers

**Press Release:** Munsch Hardt Shareholder Named Best Lawyer in America — Environmental, Energy and Natural Resources Practice

**Press Release:** Four Munsch Hardt Attorneys Recognized As Best Lawyers in America