

Agenda

The 500 Pound Gorilla – Superfund Liability

P. Durning

- Liability triggers under the federal and state Superfund statutes
- Penalties, liens, and other horrors
- Key federal and state liability exemptions and their limitations
 - Bona fide purchasers (federal)/eligible persons (MA)
 - All appropriate inquiry
 - Contiguous property owners (federal)/downgradient property status (MA)
 - Lenders
- Resource Conservation and Recovery Act (RCRA)

Developing a Remediation and Redevelopment Plan – The Recipe

J. Porter, L. Feldman

- Potentially applicable CERCLA and RCRA requirements
- The Massachusetts Contingency Plan
- Other potentially problematic legal requirements

Developing a Remediation and Redevelopment Plan – The Cooks and their Roles

J. Porter, L. Feldman,
A. Everts

- Licensed site professional
- Geotechnical engineer
- Lawyer
- Permit consultant
- Government/community relations specialist
- Environmental insurance specialist

New and Emerging Contaminant Concerns and What to Do About Them

I. Phillips,
K. Dilawari

- Vapor intrusion
- PFAS
- Asbestos in soil

Other Risk Spreaders/Mitigators

S. Calnan, B. Harper
L. Feldman

- Brownfield Redevelopment Assistance (MassDevelopment)
 - Loans
 - Grants
- Covenant not to sue
- Fixed price remedial contracts

Can't Attend? Order the Manual and the Audio from the Live Seminar as a Self-Study Package!

Audio recordings of this seminar are available for purchase starting at \$269. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Brownfields Regulation, Remediation, and Redevelopment

Natick, MA - Wednesday, January 22, 2020



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PO Box 278
Altoona, WI 54720-0278

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Learning Objectives

You'll be able to:

- Understand** superfund liability and its effects on purchasers and contiguous property owners.
- Comply** with legal requirements when developing a brownfield remediation and redevelopment plan, including CERCLA, RCRA, and the Massachusetts Contingency Plan.
- Determine** the roles of licensed site professionals, geotechnical engineers, lawyers, permit consultants, government/community relations specialists, and environmental insurance specialists in brownfield remediation and redevelopment.
- Discuss** how to remediate new and emerging contaminant concerns, including vapor intrusion, PFAS, and asbestos in soil.
- Explore** loans and grants for brownfield redevelopment, and consider fixed-price remedial contracts.



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- Review** superfund liability under federal and Massachusetts statutes
- Discuss** the process of creating remediation and redevelopment plans
- Learn** the roles of various professionals in brownfield remediation and redevelopment
- Examine** new and emerging contaminant concerns and discuss what to do about them
- Explore** brownfield redevelopment assistance through MassDevelopment

Continuing Education Credits

This seminar is open to the public and offers a 7.0 hour non-credit continuing education opportunity to Massachusetts:

- Attorneys
- Professional Engineers
- Geologists
- Landscape Architects (LA/CES Approved)
- Architects (AIA/CES Approved)
- All Other Interested Parties



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Faculty

Peter F. Durning is the managing shareholder at Mackie Shea, P.C. He focuses his practice in the areas of environmental litigation, enforcement defense, land use and permitting, with a specific focus in the areas of hazardous materials, solid waste, water and wetlands.

Jeffrey R. Porter is chair of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C’s Environmental Law Practice and is widely recognized as one of the top environmental lawyers in the country. He advised the Massachusetts Legislature’s Committee on Natural Resources and Agriculture during the drafting of the 1998 Brownfield legislation.

Lawrence Feldman Ph.D, LSP is a senior principal at GZA GeoEnvironmental, Inc. For the past 30 years, Dr. Feldman’s work has focused primarily on the assessment, remediation, and redevelopment of brownfield sites, and on providing litigation support in cases involving such sites. He has provided Licensed Site Professional services at over 250 Massachusetts oil and hazardous material disposal sites.

Albert P. Everts II is the managing director at Green Insurance Exchange (GIX) in Boston, MA. He specializes in the design and placement of Pollution Legal Liability policies for commercial property transactions, mergers and acquisitions, and property redevelopment activities.

Ian M. Phillips, LSP is a vice president at Haley & Aldrich, Inc. He has more than 30 years of experience providing strategic environmental consulting services including technical and regulatory direction related to the investigation, cleanup and redevelopment of contaminated properties, litigation support for cost recovery actions, and regulatory compliance services.

Seminar Information

Courtyard by Marriott Natick
342 Speen Street
Natick, MA 01760
(508) 655-6100

Tuition
\$289 for individual registration
\$269 for three or more registrants from the same company at the same time.

Included with your registration: Complimentary continental breakfast and printed seminar manual.

Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

Registration
8:00 - 8:30 am

Morning Session
8:30 - 11:45 am

Lunch (On your own)
11:45 am - 12:45 pm

Afternoon Session
12:45 - 5:00 pm

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.

Katherine Dilawari, PE, LSP is a senior associate at Haley & Aldrich, Inc with diverse experience in environmental site characterization, remediation, and redevelopment of contaminated sites. She has managed projects which require environmental due diligence consultation for property acquisition, environmental compliance strategy development, selection, design and implementation of remediation program, and design, implementation and testing of vapor intrusion mitigation systems.

Sean Calnan is senior vice president of Predevelopment Finance at MassDevelopment. He is responsible for the statewide administration of the Brownfields Redevelopment Fund, the Collaborative Workspace Program, the Predevelopment Loan Program, and the Cultural Facilities Fund.

Betsy Harper has been an assistant attorney general in the Environmental Protection Division of the Massachusetts Attorney General’s Office for over 31 years, where she handles Brownfields redevelopment matters and complex environmental enforcement matters on behalf of the Commonwealth. For the past six years, Ms. Harper has been the deputy division chief of the division.

Continuing Education Credit Information

This seminar is open to the public and offers a 7.0 hour non-credit/non-mandatory education opportunity to Massachusetts attorneys, engineers, geologists, land scape architects, architects and other interested parties.

This course is approved by the American Institute of Architects Continuing Education System for 7.0 LU|HSW and the Landscape Architect Continuing Education System for 7.0 HSW PDHs. Please visit www.halfmoonseminars.org for complete AIA/CES information under this course listing. Only full attendance is reportable to the AIA/CES and LA/CES.

Professional engineers seeking continuing education credit in other states will be able to apply the hours earned at this seminar, in most cases. Refer to specific state rules to determine eligibility.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Foundations in Cold Regions Webinar Series

- **Introduction to Foundations in Cold Regions**
Thurs., Feb. 20, 2020, 11:00 AM - 12:30 PM CST
- **Shallow Foundation Design in Cold Regions**
Thurs., Feb. 20, 2020, 1:00 - 2:30 PM CST
- **Deep Foundation Design in Cold Regions**
Fri., Feb. 21, 2020, 11:00 AM - 12:30 PM CST
- **Foundation Construction in Cold Regions**
Fri., Feb. 21, 2020, 1:00 - 2:00 PM CST

For more information and other online learning opportunities visit: www.halfmoonseminars.org/webinars/

Additional Learning

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Registration

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Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278	Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.
Complete the entire form. Attach duplicates if necessary.	() I need special accommodations. Please contact me.
Tuition	
() I will be attending the live seminar. Single Registrant - \$289.00 . Three or more registrants from the same company registering at the same time - \$269.00 each.	
() I am not attending. Please send me the self-study package:	
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