

Agenda

Defining and Identifying Brownfields

J. Heer

Legal definition of a brownfield

Common types of brownfield sites:

- Railroads
- Gas stations
- Refineries
- Dry cleaners
- Chemical manufacturers/storage facilities
- Heavy industrial facilities

Common liabilities associated with brownfields

Federal and State Regulation of Brownfield Sites

J. Heer

Comprehensive Environmental Response,
Compensation and Liability Act (CERCLA)

- CERCLA liability scheme
- CERCLA trust fund
- National Priorities List

Resource Conservation and Recovery Act (RCRA)

- RCRA scope
- RCRA requirements
- State and local regulations and incentives
- Ohio EPA Voluntary Action Program (VAP)

Assessing Sites and Identifying Risks

K. Teuscher/
M. Kurinsky

Retaining an environmental consultant

Due diligence and performing a Phase 1 site assessment

Data quality objectives

Scope of subsurface investigation

Risk-based decisions

Projecting remediation costs and working with regulators

Implementing Remediation Technologies and Processes

K. Teuscher/
M. Kurinsky

Engineering and institutional controls

Biological treatments Physico-chemical treatments

Thermal treatments Other options

Planning and Implementing Site Remediation and Redevelopment Strategies

K. Teuscher/
M. Kurinsky

Working with regulators

Working with consultants and technicians

Regulatory enforcement options

Exploring options for redevelopment

Redevelopment financing

Brownfields Regulation, Remediation and Redevelopment

Online - Wednesday, September 23, 2020

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Learning Objectives

You'll be able to:

Identify common types of brownfield sites and discuss common liabilities associated with them.

Examine federal and state regulation of brownfield sites and explore available incentives.

Learn how to project remediation costs while working with regulators.

Implement remediation technologies and processes, such as biological and thermal treatments.

Strategize options for brownfield site redevelopment and discuss available financing.



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Brownfields Regulation, Remediation and Redevelopment

Live, Interactive Webinar - Wednesday, September 23, 2020



Discuss the legal definition of a brownfield and **examine** types of brownfield sites

Learn about federal and state regulations of brownfield sites

Explore the Ohio EPA Voluntary Action Program (VAP)

Assess brownfield sites and **learn** to identify the risks

Use remediation processes, including biological and physio-chemical treatments

Implement site redevelopment strategies and obtain financing

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Faculty

John Heer *Attorney, Fair Shake Environmental Legal Services*
Mr. Heer has almost 30 years of experience practicing litigation, transactional, regulatory and environmental law, including experience with traditional environmental issues relating to the Clean Water Act; Resource Conservation and Recovery Act (RCRA); the Clean Air Act; the Toxic Substances Control Act (TSCA); Federal Insecticide, Fungicide, the Rodenticide Act (FIFRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); brownfields; wetlands and stormwater. He also has experience across North America with sustainability and chemical management. He is also a certified ISO 14001:2004 EHS auditor. Mr. Heer earned his J.D. degree, *cum laude*, from Case Western Reserve University School of Law, where he earned the Lewis F. Powell, Jr. Excellence in Advocacy Award on the National Mock Trial team. He received a B.A. degree in Criminal Justice and Psychology from Indiana University.

Kathleen Teuscher *TRC Companies, Inc, Senior Project Manager/Human Health Risk Assessor*
Ms. Teuscher has over 30 years of diversified experience in the chemical and environmental industry and has provided project management and key technical support for a variety of projects. In addition to managing TRC’s Cleveland office, she has performed numerous human health risk assessments in accordance with various state and federal guidelines. Her areas of expertise include remedial investigation, risk assessment, vapor intrusion, Brownfield redevelopment, RCRA closures, numerous Phase I/Phase II environmental assessments, feasibility studies, statistical analyses, and analytical chemistry. Ms. Teuscher has performed human health risk assessments and provided technical support for a variety of projects under

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such programs as CERCLA, RCRA, TSCA, and individual state and USEPA brownfield programs. She has had success in identifying reasonable and protective alternatives for risk- based solutions to environmental concerns. Ms. Teuscher’s experience also includes performing lab audits, data validation, implementation of QA/QC procedures, and preparing quality assurance project plans. Prior to consulting, she was QA/QC director for a large environmental laboratory.

Michael P. Kurinsky *TRC Companies, Inc., Project Manager, Environmental Due Diligence*
Mr. Kurinsky has over 13 years of experience in managing and providing technical support for diverse projects for identifying, investigating and remediating environmental impacts, including projects performed through the Ohio Voluntary Action Program (VAP) that require the completion of a no further action (NFA) letter package and obtaining a covenant not to sue (CNS). His experience includes ASTM Phase I Environmental Site Assessments (ESAs), ASTM Phase II investigations, remedial investigations, environmental compliance evaluations, Emergency Planning and Community Right-to-Know Act (EPCRA) reporting, spill prevention, control and countermeasure (SPCC) plans, National Pollutant Discharge Elimination System (NPDES) permitting and associated storm water pollution prevention plans (SWPPPs), wastewater permitting, Ohio Bureau of Underground Storage Tank Regulations (BUSTR) closures, Ohio Cessation of Regulated Operations (CRO) Program, transactional due diligence support, environmental liability risk summaries and desktop reviews. Mr. Kurinsky regularly provides advisory and assurance-related services to clients on environmental liabilities, corporate governance, environmental health and safety management and social responsibility strategies.

Additional Learning

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Erosion and Sediment Control

- Wed., Sept. 16, 2020 | 11:00 am - 2:00 pm CDT
- Thurs., Sept. 17, 2020, 11:00 am - 2:00 pm CDT

International Building Code

- Wed., Sept. 16, 2020 | 10:00 am - 2:00 pm CDT
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Complying with Fire Protection and Building Codes

- Mon., Sept. 21, 2020 | 8:00 - 11:35 am CDT
- Tues., Sept. 22, 2020 | 8:00 am - 12:05 pm CDT

Designing for Accessibility under ADA Standards and IBC

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