

Agenda

Understanding Tennessee Surface Water Rights Ownership of surface water Regulation of surface water rights Obtaining surface water rights Application and permitting process Amending surface water rights Current issues in surface water rights	<i>S. Jacobs</i>
Complying with Water Quality Laws and Regulations State and federal water quality regulations Stormwater regulations Sewerage regulations Industrial and agricultural programs Public water supply Water wells	<i>B. Penny</i>
Understanding Tennessee Groundwater Rights Ownership of groundwater Regulation of groundwater rights Obtaining groundwater rights Application and permitting process Current issues in groundwater rights	<i>B. Penny</i>
Update on PFAS and Other Contaminants in Water Types of water contaminants and their effects Identifying water contaminants Solving problems caused by contaminated water	<i>B.H. Knight, L. Heusel</i>
Current Issues with the Clean Water Act Waters of the United States Groundwater as a conduit Judicial deference to agency action	<i>J. Richardson</i>
Ethical Issues in Water Law and Regulation Ethical issues in water use Ethical issues in development Ethical issues in water transactions	<i>J. Richardson</i>

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Tennessee Water Laws and Regulations

Online - Monday, September 28, 2020



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Learning Objectives

You'll be able to:

- Analyze** state and federal water quality regulations.
- Identify** ownership of surface water and regulation of surface water rights.
- Examine** the impacts of PFAS and other water contaminants.
- Discuss** obtaining groundwater rights, including the application and permitting process.
- Analyze** current issues with the Clean Water Act, including groundwater as a conduit and judicial deference to agency action.
- Learn** about ethical issues in water use, development, and transactions.



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Tennessee Water Laws and Regulations

Live, Interactive Webinar - Monday, September 28, 2020



- Discuss** how to comply with water quality laws and regulations
- Identify** groundwater rights in Tennessee
- Examine** surface water rights in Tennessee
- Learn** about current issues with the Clean Water Act
- Analyze** PFAS and other contaminants in water
- Examine** ethical issues in water law and regulation

Continuing Education Credits

Attorneys 6.5 Tennessee CLE Hours 5.25 General CLE Hours 1.25 Dual CLE Hours	Tennessee Professional Engineers 6.5 PDHs
	Geologists Non-Credit CE



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Faculty

Sharon Jacobs *Attorney and Member at Bone McAllester Norton*

Ms. Jacobs concentrates her practice in the areas of environmental, regulatory, local government, land use and administrative law. She is an experienced regulatory lawyer and litigator who represents companies, local governments, and not-for-profit organizations in administrative, regulatory, environmental, zoning, land use, and municipal law. Ms. Jacobs has represented clients before administrative boards and at the state, federal, and local levels. Because of Ms. Jacob's excellent work, clients can focus on their business and not be caught in protracted environmental litigation. She has successfully defended numerous businesses and local governments. Ms. Jacobs serves as the city attorney for Oak Hill.

Bill Penny *Attorney and Partner at Burr Forman*

Mr. Penny's environmental practice covers a wide range of environmental law at the state and Federal levels, including natural resource law, remediation, negotiation with regulatory agencies in environmental matters, Superfund litigation, RCRA matters, brownfield redevelopment, wetlands, water quality, radiological waste and compliance, and air pollution control. Mr. Penny regularly counsels clients on compliance issues and represents businesses before state environmental boards, the Department of Environment and Conservation, and the U.S. Environmental Protection Agency. He has been involved in controversial land use developments, where environmental issues were a major factor, and he represents contractors, manufacturing companies, local governments and other individuals in environmental matters. Mr. Penny served as general counsel for the Tennessee Department of Health and Environment and, subsequently, the Department of Environment and Conservation for more than eight years. He is a frequent speaker at local, state and national seminars dealing with environmental law, and he is an instructor of environmental law at the Nashville School of Law. Mr. Penny is the principal author of the books *A Practical Guide To Tennessee Environmental Law* and a *Practical Guide to Tennessee Administrative Law*. In addition he is a co-author of the *ABA Brownfields Third Edition*, a Tennessee editor for BNA's Environmental Due Diligence Guide, and author of the Tennessee Chapter for the ABA publication, *Institutional Controls at Brownfield Sites*. Mr. Penny is a member of the Nashville, Tennessee and American bar associations. He earned his B.A. degree from the University of Tennessee at Knoxville and his J.D. degree from the Nashville School of Law.

Webinar Information

Log into Webinar 8:00 - 8:30 am EDT	Break 11:45 am - 12:15 pm EDT
Morning Session 8:30 - 11:45 am EDT	Afternoon Session 12:15 - 4:00 pm EDT

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B. Hart Knight *Attorney and Partner at Butler Snow*

Mr. Knight practices in Butler Snow's Toxic Torts and Environmental Litigation Group. He has represented a wide variety of environmental clients including construction companies, financial institutions, manufacturing facilities, electric utility systems, real estate developers and energy companies. His experience ranges from state enforcement actions to the defense of federal citizen suits to matters of regulatory compliance and environmental remediation and brownfield projects. Throughout his practice, he has focused on issues involving the Clean Water Act, RCRA, CERCLA, ESA, TSCA (PCBs), FTC greenwashing and water allocation matters. Prior to joining Butler Snow, Mr. Knight previously served as the senior judicial law clerk for the Honorable Frank Clement, Jr., of the Court of Appeals of Tennessee and graduated from the nation's leading environmental law school, during which time he clerked for the Environmental Crimes Section of the United States Department of Justice, in Washington, D.C.

Laura Heusel *Attorney at Butler Snow*

Ms. Heusel is an attorney at Butler Snow with 15 years of experience as a professional engineer in both the public and private sectors. With this, she applies a practical mindset to help clients navigate the technical rigors of environmental regulations and find cost-effective solutions to today's regulatory challenges.

Jesse Richardson *Professor and Attorney at West Virginia University College of Law*

Mr. Richardson is an associate professor and the lead land use attorney at the Land Use and Sustainable Development Law Clinic at the West Virginia University College of Law. Before coming to WVU, Mr. Richardson was an associate professor at Virginia Tech. His research and experience focuses on land use law and water law. He began his legal career in private practice in his home town of Winchester, Virginia. Mr. Richardson presently serves on the board of directors of the American Agricultural Law Association and is the president-elect. Mr. Richardson previously served on the Virginia Water Policy Technical Advisory Committee. He was honored with the 1999 Professional Scholarship Award from the American Agricultural Law Association, the 2004 William E. Wine Award for a history of teaching excellence from Virginia Tech (the highest teaching award granted by the University), and the 2009 University Certificate of Excellence in Outreach.

Additional Learning

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- Tues., Sept. 15, 2020 | 8:30 am - 3:50 pm CDT

Advanced HEC-RAS Modeling
- Wed., Sept. 16, 2020 | 8:30 am - 12:30 pm CDT
- Thurs. Sept. 17, 2020 | 8:30 am - 12:00 pm CDT

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
- Thurs., Sept. 17, 2020 | 10:00 am - 2:00 pm CDT

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
- Tues., Sept. 22, 2020 | 8:30 am - 4:30 pm CDT

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Registration

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