



Midwest Environmental Compliance Conference

OVERLAND PARK CONVENTION CENTER | KANSAS
September 24-25, 2024

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EPA
Region 7

Pre-Conference Add-On

Monday, September 23

Pre-MECC: Remediation Workshop -- Big Money, Emerging Standards, New Legal Challenges

1:00 p.m. - 4:30 p.m., Monday, September 23 at the Sheraton Overland Park Hotel, EMILY PULCHER, Burns & McDonnell (Moderator)

This Workshop is an update, practical guide, and discussion of emerging issues, new funding, old funding, innovative strategies, new legal challenges, emerging contaminants and other issues relevant to anyone who is engaged in the remediation process.

1:00 p.m.

Big Money and How to Access It

This session will assess the huge influx of Inflation Reduction Act funds and other Biden Administration monies, as well as, traditional Brownfields funds and tax credits, and potential for new Superfund money for emerging contaminants.

DAN NEDVIDEK, Terracon

DOUGLAS RASMUSSEN, Steadfast City

DAVID DOYLE, EPA Region 7

ANDREW BRACKER, Kansas City

ADAM TROUTWINE, Polsinelli (Moderator)

2:00 p.m. BREAK

2:15 p.m.

Emerging Contaminants and Clean-up Challenges

With new lower standards for PFAS and lead (and the prospect for future lower standards), more sites will be considered impacted and possibly re-opened by private business interests of the State. This session will also discuss other issues on remediation efforts, including new technologies and approaches to site characterization for PFAS. For non-PFAS issues, what is required to meet "continuing obligations" under CERCLA to stop a continuing release or not exacerbate existing contamination on a site in order to maintain BFPP protections?

CHRIS NEAVILLE, The Doe Run Company

CHRIS CADY, Missouri MDNR

CHRIS REDINGTON, WSP

JARED GEISLER, Terracon

EMILY PULCHER, Burns & McDonnell (Moderator)

3:15 p.m.

New Legal Challenges

This session will address the potential impact of new Supreme Court decisions in *Loper Bright* and *Sackett II* as well as the Endangered Species Act, environmental justice, the proliferation of Data and Distribution Centers, ESG reporting, SEC rules, environmental insurance, permitting new energy projects, green energy tax credit contracts, and more.

ADAM TROUTWINE, Polsinelli

JAKE LEVIN, Polsinelli

Question and Answer

ALL SPEAKERS

BRIAN PORTER, Terracon (Moderator)

4:30 p.m. END OF REMEDIATION WORKSHOP

Meet and Greet at the Sheraton Lobby Bar

Early Arrival Meet-up at Sheraton Overland Park Hotel at the Convention Center Lobby Bar, 6100 College Blvd., Overland Park, KS A come-and-go gathering of colleagues, speakers, sponsors and friends. Cash bar. Catch up with colleagues and make new friends

Monday, September 23, 2024

6:30 pm Meet and greet, appetizers and cash bar

8:00 pm End of Meet-up

Conference Day 1

Tuesday, September 24

7:00 am

Registration and Check-In – A1-A2 Prefunction Area

coffee and pastry

7:50 am

The Year in Review – A1-A2

A fast-paced re-cap of the most important news, regulations, court decisions, policies, and other developments since our last MECC conference. From headline issues to the obscure, this will be a lively exchange of fact and opinion.

DAVID COZAD, Director, OECA, EPA Region 7

ED TORMEY, Administrator, Iowa DNR

KYRA MOORE, Director, Missouri DNR

TOM GREVER, Shook, Hardy & Bacon

TYLER MARSHALL, Stanley Consultants

ROGER WALKER, REGFORM (Moderator)

8:40 am

8:40 am	<p>Air Issues Update - A1-A2 Take a deep breath and catch up on the latest in NSR, AERR, Regional Haze, PM2.5, Ozone, PEA, airborne PFAS, the Good Neighbor Rule, changes to permitting minor sources, and more. STEPHEN HALL, Director, APCP, MDNR DANA SKELLEY, Director Air & Radiation, EPA Region 7 SARAH PIZIALI, Chief, Air Bureau, IDNR MIKE LIEBERT, All4, Inc. BRITTANY BARRIENTOS, Stinson (Moderator)</p>	<p>SCOTUS Unleashed – Courtyard 1-2 Recent Supreme Court decisions have upended years of precedence and will impact the nation and environmental law for years to come. This session will focus on federal agency deference (Loper Bright and Corner Post), GNP (Ohio v. EPA), WOTUS (Sackett), “Major Question Doctrine” (West Virginia) and other SCOTUS actions. AJ FERATE, Spencer Fane SARAH STRUBY, Stinson STACY STOTTS, Polsinelli</p>
9:35 am	<p>NAAQS Update: PM2.5 (primary and secondary) and new SIL - A1-A2 This presentation will address proposals for revised PM2.5 NAAQS. How many areas will be in nonattainment and what impact will the new SIL have on permitting. The specific process for designations will be discussed along with the implications for designation, permitting, compliance and enforcement. Mary will present on the PM2.5 Annual NAAQS – this includes a little bit of background, issues with the low standard selected, SIL issues and the issues with many monitors showing very high readings (due to bias in the continuous PM monitors as well as wildfires). MARY HAUNER-DAVIS, Burns & McDonnell</p>	<p>The 2023 WOTUS Rule: Challenges in the Court and in the Field - Courtyard 1-2 An update on the big issues such as status of ongoing litigation, where the new rule is effective and where it's not, observations on how the Corps and EPA are implementing. In <i>Sackett II</i>, "significant nexus" got shown the door, but is it climbing back in through a window? This and more! ED GALBRAITH, Barr CLAIRE WILLIAMS, Stinson</p>
10:20 am	<p>10:20 am Break sponsored by Koley Jessen KOLEY ■ JESSEN</p>	

10:40 am	<p>Water Issues Update - A1-A2 Roundtable of representatives from R7 states and EPA to discuss current and future water and wastewater issues. TOM STILES, Chief, Water Bureau, KDHE ADAM SCHNIEDERS, Water Quality Resource Coordinator, Iowa DNR AIMEE D. GUZMAN DAVENPORT, Stinson JOHN HOKE, Director, Water Protection Program, MDNR JEFF ROBICHAUD, Director, Water Division, EPA Region 7 ROB MORRISON, Barr (moderator)</p>	<p>So, What Exactly Does “Hazardous” Mean?- Courtyard 1-2 The Implications of Designations and Classifications of Hazardous Material, Hazardous Waste, Hazardous Substances, Hazardous Constituents, etc. Each has legal meaning and implications for EHS practitioners. What does it mean if PFOS becomes a hazardous constituent? What turns a hazardous material into a hazardous waste? We'll split hairs and get smarter together as we get back up to speed on these important distinctions. LIANE HETHERINGTON-WARD, BASF</p>
11:10 am		<p>Batteries in everything! Minimizing the legal risks related to Li-ion battery handling, recycling, and disposal - Courtyard 1-2 Businesses are handling more batteries than ever and need to understand the potential legal implications of handling, storing, shipping, recycling, and disposing of these powerful new battery cells. This session will cover the unique risks posed by some batteries, the basics of federal and state regulation, and a review of recent litigation involving Li-ion batteries. RYAN RUSSELL KEMPER, Thompson Coburn</p>
11:45 am	<p>Understanding the Sweeping Impact of EPA Regulatory Actions on EGUs - A1-A2 Electric utilities face a sweeping set of new regulatory requirements under a recent EPA announcement. We will address the Power Plant CO2 Rule, MATS, Interstate Transport/Good Neighbor Rule, Regional Haze, and impacts to cost, supply and energy security. DAN WILKUS, Evergy KELLI DEUTH, Ramboll AMY BOOKE, EPA Region 7 RAY MCCARTY, AIM (Moderator)</p>	<p>Early Lunch Buffet – Courtyard 1-2 & Courtyard Prefunction</p>
12:30 pm		

12:35 pm	<p>Utilizing Analytics, AI and Automation to Drive EHS&S Performance - A1-A2</p> <p>Organizations are using AI and automation to reinvent their businesses to drive efficiency. Advanced robotic process automation in conjunction with machine learning and AI are being used to perform repetitive tasks. We'll discuss real-life case studies of how we utilize AI, automation, and analytics to manage environmental compliance. We'll uncover a range of possibilities for EHS&S professionals.</p> <p>VEL SUBRAMANIAN, GHD JONATHAN ELLER, GHD</p>	<p>Late Lunch Buffet – Courtyard 1-2 & Courtyard Prefunction</p>	<p>EHS Refresher Course (5 sessions) - Courtyard 3</p> <p>Every session addresses "must-know" information, lessons learned from experienced professionals, and critical subject matter knowledge.</p> <p>1. Air Permitting and Compliance (12:35 - 1:05) Construction permitting and expectations, determining the permit type, exempt sources, Title V vs. Minor vs. Synthetic Minor, common compliance requirements. JOSEPH STOLLE, Ramboll</p> <p>2. Water Quality Permitting and Compliance (1:10 - 1:40) Basics of the NPDES program, key wastewater challenges, stormwater topics, monitoring, DMRs and other compliance headaches. ED GALBRAITH, Barr</p> <p>3. Hazardous Waste Permitting and Compliance (1:45 - 2:15) This presentation will cover the various levels of hazardous waste registrations and permitting under RCRA and review practical aspects and compliance tips for common compliance issues routinely faced by waste generators. CHRISTOPHER HURST, Terracon</p>
1:20 pm	<p>Make Microsoft 365 your go-to software for managing EHS Compliance - A1-A2</p> <p>Implementing software to manage EHS compliance sounds expensive. But it doesn't have to be, not when most companies already have the software they need. See how folks in the utility, education, and manufacturing sectors are leveraging Microsoft 365® and the Power Platform® to effectively manage EHS compliance documentation and data.</p> <p>TINA BAKER, City of Lincoln NE AUTUMN GENTRY, Southeast Missouri State University EMILY MUTH, Conagra BRIAN WANZENRIED, Viterro JOE TELL, KTL (Moderator)</p>	<p>PFAS Forensics at Airports & Beyond-Courtyard 1-2</p> <p>The National Academies of Science, Engineering, and Medicine provided grant funding to support informed decision-making related to source differentiation at airports. The resulting research discusses a "lines of evidence" approach to evaluating both on- and off-airport PFAS risk, including data mining and visualization. The team developed a "PFAS Assessment Progress Tracker" to indicate progress of areas PFAS sources both on and off airport property.</p> <p>JARED GEISLER, Terracon</p>	
1:25 pm			
2:10 pm			
2:15 pm	<p>RMP Update - A1-A2 <i>RMP, Not as You Know It: How to Plan and Respond</i></p> <p>This session will explain key aspects of EPA's 2024 amendments to the Risk Management Program regulations, and how facilities can plan for compliance. It will also address why immediate actions may be necessary to ensure compliance, despite the amendments seemingly providing years to plan for compliance.</p> <p>PAUL JACOBSON, Spencer Fane KEN YASS, Geosyntec</p>	<p>Clean Water Act FRP: The Three-Year Headache to Compliance - Courtyard 1-2</p> <p>Mr. Gansert will discuss key challenges regarding the CWA Facility Response Plan (FRP) regulations, including ambiguous provisions, anticipated EPA tools, and current strategies deployed by proactive facilities to meet the recommended 2024-2027 compliance timeline.</p> <p>DON GANSERT, Trinity Consultants</p>	<p>EHS Refresher Course, continued - Courtyard 3</p> <p>4. Project Planning and EHS Considerations (2:20 - 2:50) This presentation will cover lessons learned and observations pertaining to project management challenges related to planning around new projects, schedule and project changes.</p> <p>CHRISTOPHER HURST, Terracon</p>
2:55 pm			

<p>3:00 pm</p>	<p>Digital Technologies for Water, Wastewater, & Storm Water can save you money, simplify reporting, and enhance compliance - A1-A2</p> <p>This session hopes to resolve via digital technologies the increasing challenges that industrial sites face related to water, wastewater and stormwater. Case studies include online sensors, telemetry and SCADA, compliance software, and the use of data science optimization of reverse osmosis systems.</p> <p>TYLER MARSHALL, Stanley Consultants</p>	<p>Navigating the Complexities of Toxic Tort Litigation - Courtyard 1-2</p> <p>Leading environmental attorneys share their insights and experiences handling high-stakes litigation involving chemical compounds used in consumer products, pesticides, microplastics, and other emerging contaminants. Learn how litigators are addressing the challenges of toxic tort litigation involving a range of chemicals and substances, including those not commonly monitored or regulated.</p> <p>ADAM MILLER, Shook Hardy & Bacon JENNIFER HACKMAN, Shook Hardy & Bacon</p>	<p>EHS Refresher Course, continued-Courtyard 3</p> <p>5. How to effectively Engage with State and Federal Regulators (2:55 - 3:45)</p> <p>MICHAEL LINDER, Koley Jessen JOSEPH STOLLE, Ramboll CHRISTOPHER HURST, Terracon ED GALBRAITH, Barr LINDEN TERPSTRA, EHS Support Source (Moderator)</p>
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3:45 pm Break

<p>4:05 pm</p>	<p>KEYNOTE ADDRESS: An Insider's Assessment and Update of D.C. and the Biden EPA - A1-A2</p> <p>Matt will join us again this year to provide an "Inside D.C." look from his unique perspective as both a state regulator, former General Counsel for EPA, former DOJ litigator, and a top environmental lawyer with Hunton AK. Matt will discuss regulatory changes, the significant SCOTUS course correction, and the opposing perspectives on our national environmental and energy policy.</p> <p>MATT LEOPOLD, Hunton Andrews Kurth</p>		
<p>4:35 pm</p>	<p>Coffee With State Directors - A1-A2</p> <p>All four State Directors will discuss environmental priorities, compliance and enforcement concerns, internal management challenges, managing increasingly diverse (and vocal) stakeholders, federal-state relations, the world of full-bore transparency, and anything else the Directors want to share.</p> <p>LEO HENNING, Director, Environment, KDHE KYRA MOORE, Director, DEQ, MDNR KARA VALENTINE, Deputy Director, Nebraska DEE ED TORMEY, Administrator, Iowa DNR KEVIN PERRY, REGFORM (Moderator)</p>		

5:30 pm Reception sponsored by MECC Silver Sponsors, End of Day 1

Join us immediately following the last session for the Silver Sponsors' Reception, open to all attendees, in the exhibit area.

Conference Day 2

Wednesday, September 25

7:00 am Breakfast

7:45 am Introduce Day 2 RYAN RUSSELL KEMPER, Thompson Coburn

<p>7:50 am</p>	<p>EJ Update: Big Money, Meaningful Engagement, and Improved Environmental Outcomes - A1-A2</p> <p>EPA's ambitious effort to transform Environmental Justice hit a few snags in the judiciary but the funding continues to roll out, enforcement discretion in overburdened areas proceeds, and efforts to facilitate a dialogue between regulated industry and neighbors takes a new direction.</p> <p>BRIAN MARTIN, Ameren AMY BHESANIA, EPA Region 7</p>		
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8:30 am

8:30 am

KEYNOTE ADDRESS: Regulatory Challenges to the use of Fluoropolymers in the Coatings Industry-

A1-A2

This session will consider challenges to the paint and coatings industry due to use of fluoropolymers and solvents broadly defined by regulators as "PFAS," but generally considered non-toxic. Challenges include product registration and reformulation.

HEIDI K. MCAULIFFE, American Coatings Association

9:10 am

9:15 am

EHS Leadership: Soft Skills Can Make a Big Impact - A1-A2

Struggling to engage your company leadership? This session is crafted to empower EHS leaders to understand the organization better and communicate the value of EHS. Attendees will gain insights into the business structure, learn to build compelling business cases, and master the art of influencing decision-makers. We'll also explore strategies for engaging teams and resolving conflicts, enabling leaders to cultivate the culture they've striving for. Transform your approach and start to lead with confidence.

LINDEN TERPSTRA, EHS Support Source

PFAS Footprint - Courtyard 1-2

Many PFAS-containing chemicals are proprietary and PFAS content is not always disclosed. Some products that report being "PFAS-free" may actually contain significant concentrations. How to "break the code" to identify and categorize the PFAS in your facility's operations.

ANDREA COLLIER, Barr

Maneuvering the Technical Minefield of the Amplified RMP Rule - Courtyard 3

Practical guidance on new requirements associated with the updated RMP rule. This session will provide ideas on how to manage enhanced PHA and employee consultation requirements and public information availability.

SCOTT KINDY, Trinity Consultants

9:55 am Break

10:20 am

Hazardous Waste Update - A1-A2

This update will address RCRA Deficiencies, HWGIR status, Top Ten RCRA Violations, federal and state changes since the last MECC, the impact of Environmental Justice, the most confusing HazWaste management issues, FIFRA nexus, universal waste, PFAS (of course), and much more.

BRIA WEAST, iSi Environmental
LIANE HETHERINGTON-WARD, BASF
SHELLY DOTY, ReWorld Waste Solutions
MATT SHANAHAN, Burns & McDonnell (Moderator)

Sustainability Programs and Reporting: Strategy, Challenges, and Lessons Learned from a Food Company - Courtyard 1-2

EMILY MUTH, Director, Sustainability Supply Chain – Conagra

10:50 am

Lines of Evidence Approach to Confirm the Efficacy of Conventional and Destructive PFAS Treatment Technologies - Courtyard 1-2

As PFAS treatment technologies continue to be developed and implemented for PFAS remediation, evaluation of technology effectiveness has become critical. This talk will discuss conventional and destructive treatment technologies, along with a line of evidence approach to evaluate effectiveness.

HANNAH MCINTYRE, Geosyntec

11:20 am

11:25 am

Compliance and Enforcement Update - A1-A2

This session will focus on changes to the National Enforcement Initiative, the impact of Environmental Justice on inspections and enforcement, and best practices for managing an enforcement action.

DAVID COZAD, Region 7

BRENT ROSSER, Hunton Andrews Kurth

BILL FORD, Lathrop GPM

ANDREW BROUGHT, Spencer Fane (Moderator)

12:10 pm

End of Conference

Special thanks to:

SARAH STRUBY, Room Assistant

BETSY SMITH, Room Assistant

ROBERT WALKER, Timekeeper

LEIOLA REEDER, Registration

SALLIE KEENEY, Conference Planner

We'll see you next year, September 15-16 at the Overland Park Convention Center

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REMEDIATION WORKSHOP ONLY	\$150	\$150	\$150	\$150

All registration prices escalated by \$80 on Sept. 4, 2024

*Are you employed by a company or entity that has applied for and obtained an environmental permit in your employer's name from a regulatory agency? If yes, you are eligible for the regulated facility rate.

†Are you within the first three years of your career? You are eligible to register at the Early Career rate.

CANCELLATIONS: All cancellations received prior to September 5, 2024 receive a refund minus a \$70 processing fee. Cancellations received September 5, 2024 receive a refund minus an \$90 processing fee. The refund policy applies to all registration rates. No-shows will be charged the full registration fee. Substitutions are welcomed any time.

LODGING: There is a room block at the Sheraton. Rates are good 'til September 5. Make your reservations today. <https://www.marriott.com/event-reservations/reservation-link.mi?id=1700488686324&key=GRP&app=resvlink> Use Discount Code: **MECC 2024**. \$139++/night.

QUESTIONS? NEED ASSISTANCE? Call or text Kevin Perry at (573) 680-5069, kevinlperry@gmail.com

Attorneys: Missouri Bar has approved this conference for 15.9 CLE credits. Kansas CLE has approved this Conference for 16 hours.