

SIXTH ANNUAL



Midwest Environmental Compliance Conference

KANSAS CITY CONVENTION CENTER | MISSOURI

April 23-24, 2019

The Region's Most Important Environmental Compliance Event of the Year

April 23-24, 2019

Kansas City Convention Center

301 West 13th Street, Kansas City, MO 64105 (816) 513-5000

In partnership with



Environmental Health and Safety
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Early Arrival Meet-up at Kansas City Marriott Downtown Bar Central Lobby Bar, 200 West 12th Street, Kansas City, MO A come-and-go gathering of colleagues, speakers, sponsors and friends. Cash bar. Pick up your name badge & conference packet and mingle!

Monday, April 22

4:00 pm Meet and greet, appetizers and cash bar, and pick up registration packets

7:00 pm End of Meet-up

Conference Day 1 at Kansas City Convention Center 301 West 13th Street, Kansas City, Missouri

Tuesday, April 23

7:15 am

Registration and Check-In
coffee and pastry

BREAKOUT SESSION (Four Tracks)

8:00 am

<p>Track One Technical Training hosted by Air & Waste Management Midwest Section KELLI CALHOON, Blackstone Environmental (Moderator)</p> <p>8:00 am Air Dispersion Modeling Basics for EHS Managers KRISTEN CHRISLIP, Trinity Consultants</p> <p>8:30 am Best Management Practices to Improve Model Predictions JOSEPH STOLLE, GeoEngineers</p> <p>9:00 am Fugitive Dust Emissions, Permitting, and Modeling at Bluff Road Landfill: A Facility's Perspective into a Modeled PSD Increment Violation TIA JETER, SCS Engineers</p>	<p>Track Two Contaminated Property: Latest Trends ERIN BROOKS, Bryan Cave Leighton Paisner LLP (Moderator)</p> <p>8:00 am Vapor Intrusion (VI) Regulations & the Impact on Remediation & Property Redevelopment We will explain how VI is regulated by US EPA, and the current status of regulation in MO, KS, & IA, including a summary of sampling and analysis techniques, a discussion of mitigation strategies, and a look at case studies. MARY JUAN, Environmental Operations, Inc. JENNIFER MARTIN, HeplerBroom</p> <p>8:40 am Phase I ESA: Legal v. Consultant Viewpoints Exploring the Environmental Due Diligence process, including Phase I ESAs, through the lenses of two professions. This session will discuss the role of environmental due diligence in the transition process and how to use the information you gain to successfully negotiate the deal and ownership period. MIKE BUTLER, TRC MATTHEW COHN, Greensfelder Hemker Gale PC</p> <p>9:10 am A Focus on TPH—Latest Trends & Impact on Remediation DIANA MARQUEZ, Burns & McDonnell</p>	<p>Track Three EHS Management Tips KEVIN PERRY, REGFORM (Moderator)</p> <p>8:00 am Great EHS Ideas and Things to Avoid SAMANTHA ANDERSON, The Doe Run Co. KIMBERLY BAUMAN, Mississippi Lime Co. PAUL LING, Evergy TODD HOUTS, University of Missouri</p> <p>8:45 am Legal Concerns for Non-Lawyers This session is for EHS and operations personnel to understand what legal privileges are, how they are used, misused or abused, and other pitfalls in everyday communications. The session may also be useful to instruct employees about the proper use of privileges and maximizing the benefits while minimizing the risks of internal and external communications before, during and after investigations. DALE GUARIGLIA, Bryan Cave BRANDON NEUSCHAFER, Bryan Cave</p>	<p>Track Four Environmental Issues Facing Municipalities DAVID SHORR, Lathrop Gage LLP (Moderator)</p> <p>8:00 am Emerging Issues with Experts This panel will explore emerging water quality issues, air quality, affordable infrastructure, and more. ADAM SCHNIEDERS, Iowa DNR BAYLEE CUNNINGHAM, City of Wichita LACEY HIRSCHVOGEL, MO Public Utility Alliance ANDREA COLLIER, Barr DAVID SHORR, Lathrop Gage BRANDY OLSON, Muscatine Power & Water</p> <p>9:00 am Have Solid Waste Markets Gone Awry in Region 7? LISA MCDANIEL, Mid-America Regional Council (MARC)</p>
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PLENARY SESSION

9:50 am Welcome to Day One

ROGER WALKER, JD, LLM, Planning Chair, MECC; Executive Director, REGFORM

10:10 am

Keynote Address: Washington, DC: 68 Square Miles Surrounded by Reality

TRACY MEHAN, Executive Director Government Affairs, American Water Works Association (AWWA)

GARY PENDERGRASS, GeoEngineers, Inc. (Introduction)

Introduce Plenary Sessions

ERIC STAFFORD, VP, Kansas Chamber of Commerce

10:40 am

WOTUS Reprise and Latest Developments

AIMEE DAVENPORT, Stinson Leonard Street

10:55 am

Tanks Trends

New UST rules are in effect. A quick primer on the new requirements.

MATT SHANAHAN, Burns & McDonnell

11:10 am

Water Policy Panel

This session will address Federal and State policy updates, infrastructure needs, emerging contaminants, old contaminants, and more.

TRACY MEHAN, Executive Director Government Affairs, American Water Works Association (AWWA)

JEFF ROBICHAUD, Director, Water, Wetlands & Pesticides, US EPA Region 7

ADAM SCHNEIDERS, Water Bureau, Iowa DNR (Invited)

ROB MORRISON, Barr

CHRIS WIEBERG, Director, Water Protection Program, MDNR

AIMEE DAVENPORT, Partner, Stinson Leonard Street (Moderator)

12:00 pm

**Track One
Lunch**

**Track Two—State Breakouts
Iowa DNR Panel**

ED TORMEY, Iowa DNR
ADAM SCHNEIDERS, Iowa DNR
SARAH PIZIALI, Iowa DNR
TYLER MARSHALL, Stanley
Consultants (Moderator)

**Track Three—State Breakouts
Nebraska DEQ Panel**

We'll discuss proposed merger with Energy Ofc., dynamic Grow NE, permit streamlining & Lean/6 Sigma, and the VW mitigation plan.
KARA VALENTINE, NDEQ
TODD ELLIS, NDEQ
BELINDA FOWLER, NDEQ
JOE FRANCIS, NDEQ
SHAWN ZABLOCKI, Z2 Safety (Moderator)

12:40 pm

**Track One
Lunch**

**Track Two—State Breakouts
KDHE Panel**

RICK BRUNETTI, KDHE
LEO HENNING, KDHE
JAIME GAGGERO, KDHE
JULIE COLEMAN, KDHE
GARY MASON, iSi Environmental (Moderator)

1:20 pm

**Track One
Lunch**

**Track Two—State Breakouts
Missouri DNR Panel**

ED GALBRAITH, DEQ Director, MDNR
KYRA MOORE, DEQ Deputy Director, MDNR
GRANT HARSE, Lathrop Gage (Moderator)

BREAKOUT SESSION (Four Tracks)

2:00 pm

<p>Track One Higher Education MIKE RUSSELL, University of Kansas (Moderator)</p> <p>2:00 pm Identifying Environmental Risks & Managing Outcomes: A University Case Study How a university overcame the challenge of minimal resources to identify risks; how they faced these challenges head-on by hiring externally. We will discuss weighing the costs of noncompliance, the decision process to hire a consultant for help, more. AUTUMN GENTRY, SE MO State University MELISSA ELLIS, Tellevate</p> <p>2:30 pm Panel of Higher Education EHS Experts A candid discussion of key issues impacting institutions of higher education, including the new Pharmacy Rule, universal waste, "mold hysteria," PCBs, Subpart K and the definition of "lab," CFATS, lab safety culture, decommissioning labs, water quality and supply, and HWGIR. TODD HOUTS, University of Missouri A. DAVID INYANG, Iowa State University MIKE RUSSELL, University of Kansas</p>	<p>Track Two EHS Management JEFF DEXTER, iSi Environmental (Moderator)</p> <p>2:00 pm Lessons Learned from the CFATS Trenches--Applicability, Compliance, Reporting, and Enforcement We will explore applicability of CFATS regulations and compliance to industrial and commercial facilities, with real world examples from our experiences with some of the most common and some unusual Chemicals of Interest used. We'll look at how applicability thresholds are determined, how to manage inventory so you can avoid being in , and helpful tips for preparing the screens, assessment & plans. We will also discuss future impacts of security on industrial facilities. MELISSA HART, TRC</p> <p>2:45 pm The Five Million Dollar Comma Mistake JENNIFER VAN THOMME, GHD BAERBEL SCHILLER, Spencer Fane LLP LAURA MCCARTHY, Global Prairie</p>	<p>Track Three Part A NATHAN HIGGERSON, Geosyntec (Moderator)</p> <p>2:00 pm Making Informed Decisions About PFAS RAY WUOLO, Barr</p> <p>Track Three Part B Safety and OSHA</p> <p>2:45 pm OSHA—Current Climate and Key issues in 2019 and Beyond Our speakers will summarize OSHA's recent actions and posture, highlighting their own recent experiences. They will also share tips and insights when dealing with OSHA at the inspection, informal conference, and contest phases. JULIE O'KEEFE, Armstrong Teasdale LLP TODD SIELEMAN, Todd Safety</p>	<p>Track Four EMS Success Stories JOE TELL, Tellevate (Moderator)</p> <p>2:00 pm Corporate Audit Policies: How to Maximize Value This presentation provides a case study of how Gavilon has successfully implemented an environmental audit program throughout its organization. We will discuss challenges and lessons learned as the organization moved to a formal, risk-based, on-site audit program, highlighting proven auditing best practices and providing strategies to maximize value. BRIAN WANZENRIED, Gavilon ROBIN FRIED, Tellevate</p> <p>2:45 pm Achieving MS4 Environmental Compliance with an Internal Compliance Audit Program How a local MS4 mitigated potential permit pitfalls by implementing an internal audit program. The struggles of providing open communication between divisions and Departments in a Governmental agency and ultimately improving the management of environmental programs within the Department. SHANNON IDEUS, City of Lincoln Transportation and Utilities</p>
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3:20 pm **Networking Break**

3:40 pm **Welcome to Plenary Sessions**

BRIAN WANZENRIED, The Gavilon Group

3:45 pm

Strengthening Transparency in Regulatory Science: Pros and Cons of the New EPA Data Science Rule

We will address the US EPA's plan to place restrictions on research it will consider in developing regulations.

Arguments on both sides of the debate will be outlined.

MAURISSA RUSHTON, Shook, Hardy & Bacon, L.L.P.

4:15 pm

The Year in Review and What's on the Horizon

A quick and lively exchange on the top issues of 2018 and crystal ball gazing on the remainder of 2019

DAVID COZAD, Regional Counsel, US EPA Region 7

DAVID SHORR, Partner, Lathrop Gage

JIM MACY, Director, Nebraska DEQ

ED GALBRAITH, DEQ Director, MDNR

ED TORMEY, Acting Division Administrator, Iowa DNR

MIKE RUSSELL, Director, EH&S, University of Kansas

ROGER WALKER, MECC Chair, Executive Director, REGFORM (Moderator)

5:00 pm

Pollution Prevention Award Presentation

JIM GULLIFORD, Regional Administrator, US EPA Region 7

5:15 pm **Networking Reception Hosted by Silver Sponsors (Open to all attendees)**

6:45 pm **End of Day 1**

Conference Day 2

Wednesday, April 24

7:15 am **Breakfast Buffet**

7:50 am

<p>Track One Technical Training Hosted by Air & Waste Management BRIAN HANKS, Foth Infrastructure and Environment (Moderator)</p> <p>7:50 am How Are the New US EPA e-Manifest Requirements Working Out? SAMANTHA ANDERSON, The Doe Run Company</p> <p>8:20 am Mobile Technology to Streamline Compliance BILL CARRIG, Stanley Consultants, Inc. TRENTON HUMPHREY, Stanley Consultants, Inc.</p> <p>9:00 am Aerosol Can Waste Determination and Proposed Aerosol Can Waste Rule ABBY PERKINS, Trinity Consultants</p>	<p>Track Two Key Trends & Important Updates in Air Permitting RICK CAMPBELL, Barr (Moderator)</p> <p>7:50 am What's New in NSR/PSD Permitting for 2019? KASI DUBBS, Trinity Consultants</p> <p>8:30 am Common Mistakes and Misunderstandings in Air Permitting Application errors, netting analysis, significant levels, determining minor sources and more. WENDY VIT, GeoEngineers, Inc.</p> <p>9:00 am Risk Management Plan Compliance Challenges in Uncertainty BOB PRESLEY, Burns & McDonnell</p>	<p>Track Three Emerging Contaminants and Sustainable Remediation JIM PRICE, Spencer Fane LLC (Moderator)</p> <p>7:50 am Emerging Contaminants: What's Up and What's Coming As new contaminants of concern are identified (<i>e.g.</i>, PFAS & 1,4-dioxane) and familiar ones are re-evaluated (<i>e.g.</i>, PCBs and TCE), the ways we understand releases are affected and environmental outcomes are changed. This panel will discuss the latest developments in this rapidly changing area and what to expect. ED GALBRAITH, Missouri DNR DOUGLAS COX, GHD JIM PRICE, Spencer Fane LLP (Moderator)</p> <p>8:40 am Sustainable Remediation: Why Hasn't This Idea Taken Off? Selection of the remedial options typically focuses on reduction of risks to site-related human health and the environment. This session includes a discussion of examples of remediation processes that undoubtedly increased overall adverse effects to the environment and suggests specific metrics that can be used to improve decision-making at contaminated sites. ATUL SOLHOTRA, The Ram Group</p>
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9:20 am **Networking Break**

9:35 am **Welcome to Day Two**

RAY MCCARTY, President/CEO, Associated Industries of Missouri

9:40 am

<p>Keynote Address</p> <p>MATTHEW LEOPOLD, General Counsel, US EPA DAVID COZAD, Regional Counsel, US EPA Region 7 (Introduction)</p>

10:00 am

<p>Track One Air Policy Panel Discussion</p> <p>This panel will engage in a candid discussion of current and emerging trends in air policy. Topics will include: “once in, always in,” new US EPA air quality policies, NAAQs update and policies, transport issues, RTR for MACT, MACT for Area Sources, and more.</p> <p>MARK SMITH, US EPA Region 7 SARAH PIZIALI, Iowa DNR MIKE LIEBERT, Trinity Consultants TODD ELLIS, Nebraska DEQ DARCY BYBEE, Director, APCP, MDNR RICK BRUNETTI, Director, Bureau of Air, KDHE (Invited) BRITTANY BARRIENTOS, Partner, Stinson Leonard Street (Moderator)</p>	<p>Track Two CLE Legal Ethics</p> <p>Environment law is full of opportunities for communication, whether it be open records requests to a government, information requests by a government, or civil enforcement actions. These opportunities raise important questions: when can I communicate with the other side and who must be involved? We will explore the ethical implications of communications between private counsel and government actors. We will explore five main topics: (1) communications between private counsel and non-attorney government officials, (2) communications between government attorneys and private actors during civil enforcement investigations, (3) ethical issues related to open records requests, (4) ethical issues related to press releases by government actors, and (5) the scope of attorney-client privilege between government counsel and its client.</p> <p>DALTON MOTT, Shook, Hardy & Bacon, L.L.P. MAT LARSEN, Shook, Hardy & Bacon, L.L.P.</p>
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PLENARY SESSIONS

10:45 am

<p>Corporate Social Responsibility (CSR)/Environmental Social Governance Investments Could Make Your Company More Competitive</p> <p>We will address the impact of increased shareholder activism on Corporate Social Responsibility as it impacts internal EHS policies, product life cycle analysis and financial disclosures, and fiduciary duty, including how proactive engagement on these issues can positively impact your Company’s relationship with shareholders, customers, employees, regulators and lenders.</p> <p>STEVE POPLAWSKI, Bryan Cave Leighton Paisner LLP</p>

11:25 am

<p>Environmental Criminal and Civil Enforcement—Current Trends with US EPA and DOJ in Region 7</p> <p>Halfway into the current Trump Administration, this panel addresses US EPA’s and the Justice Department’s current policies on civil and criminal enforcement of environmental laws, with a particular focus on Region 7. We will address the current status of the National Compliance Initiatives, Audit Policy, and SEPs. We will also explore factors and considerations evaluated by US EPA and DOJ contributing to some cases being investigated for criminal prosecution, rather than administrative enforcement by US EPA or civil enforcement by the DOJ.</p> <p>DAVID COZAD, Regional Counsel, US EPA Region 7 ANDREW BROUGHT, Partner, Spencer Fane LLP C.H., Special Agent, US EPA Region 7 Criminal Investigation Division</p>

12:15 pm

End of Conference

We’ll see you next year.

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Standard Registration	\$525	\$625	\$775

*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.

DISCOUNTS: Is your company or organization sending 3 or more employees? Call Kevin Perry at 573 680-5069 or email to kevinlperry+mecc@gmail.com for group discounts.

CANCELLATIONS: All cancellations received prior to March 25, 2019 receive a refund minus a \$50 processing fee. Cancellations received March 25, 2018 receive a refund minus an \$85 processing fee. The refund policy applies to all registration rates. No-shows will be charged the full registration fee. Substitutions are welcomed any time.

PARKING: Please park at Barney Allis Plaza parking garage (beneath Barney Allis Plaza) at 1220 Wyandotte St., Kansas City, MO. See www.kcconvention.com/downtown-kc/directions/

LODGING

Kansas City Marriott Downtown
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A limited number of rooms are available.

Mention **2019 Midwest Environmental Compliance Conf.** to receive a discounted rate of \$182/night ++.

QUESTIONS? NEED ASSISTANCE? Contact Kevin Perry at (573) 680-5069, kevinlperry+mecc@gmail.com

Attorneys: CLE credits for attorneys are being sought for: Missouri. MECC has been approved for 13.0 hours of CLE for Nebraska.

Mark your calendar now for the 2020 MECC in Kansas City