

TENTH ANNUAL



Midwest Environmental Compliance Conference

OVERLAND PARK CONVENTION CENTER | KANSAS
September 26-27, 2023

The Midwest's Most Important Environmental Compliance Event of the Year
Overland Park Convention Center

In partnership with



We are grateful for the input and participation of



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 25

5:00 pm Meet and greet, appetizers and cash bar

8:00 pm End of Meet-up

Conference Day 1

Tuesday, September 26

7:15 am

Registration and Check-In – Exhibit Area
coffee and pastry

7:50 am

Another Crazy-Busy Year in Review – A1-A2

A 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, fast-paced exchange of fact and opinion.
MEG MCCOLLISTER, Regional Administrator, EPA Region 7
ED TORMEY, Administrator, Iowa DNR
DRU BUNTIN, Director, Missouri DNR
KURT SCHAEFER, Lathrop GPM
DAN WILKUS, Evergy
ROGER WALKER, REGFORM (Moderator)

8:45 am

NAAQS Update on Ozone, PM 2.5 - A1-A2

This presentation will address proposals for revised NAAQS. How many areas will be (or suspected) newly nonattainment. The specific process for designations will be discussed briefly along with the implications for designation (i.e., nonattainment compliance and permitting including schedules). Also, we will discuss the impacts for New Source Review in attainment areas including a summary of Midwest trends for air quality modeling and monitoring strategies.
STEPHEN HALL, Director, APCP, MDNR
RICK BRUNETTI, Chief, Air Bureau, KDHE
DEANDRÉ SINGLETARY, Acting Director Air & Radiation, EPA Region 7
BRITTANY BARRIENTOS, Stinson (Moderator)

Water Issues Update: Smooth Sailing or Rough Waters? – Courtyard 2

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, Iowa DNR
JOHN HOKE, Director, Water Protection Program, MDNR
DANA SKELLEY, Acting Director, Water Division, EPA Region 7
ED GALBRAITH, BARR (Moderator)

9:40 am

The Metamorphic Influence of AI: Shaping the Future of the Environmental Industry - A1-A2

We're at the brink of a revolution, poised to have our work be reshaped by the vast capabilities of Artificial Intelligence (AI). We will delve into the shifts AI is bringing and explore its potential to alter how we approach compliance, clean-ups, and sustainability. We will examine the ways AI can leverage the value of integrated datasets, advance regulatory adherence, accelerate efficiency, and enable proactive decision-making.
SUBE SUBRAMANIAN & BRETT ROBERTS, GHD

PFAS: A Rundown of Regulations and an Analysis of EPA's PFAS roadmap - Courtyard 2

This session will review and analyze the PFAS multimedia regulatory landscape and provide an up-to-date summary of regulatory developments in the areas of water quality standards, air emissions regulations, and waste management requirements.
ANDREA COLLIER, Barr
JOE ZALESKI, Shook, Hardy & Bacon

10:20 am Break

10:40 am

Will New GHG Rule Lead a Transition to Cleaner Energy? - A1-A2

EPA proposed new regs under §111 of the CAA that would fundamentally alter how electricity is generated. We will discuss how the rule may affect fossil fuel-fired power plants and whether it provides a realistic path to addressing climate change, while ensuring reliability/affordability of electricity. The reg sets lower standards, on the assumption that hydrogen and carbon capture will be available. We'll discuss whether they can be relied on in the near term to aid the transition to cleaner energy sources.
MARY HAUNER-DAVIS, Burns & McDonnell
BRENT ROSSER, Hunton AK

Roundtable: New Challenges and Lingering Issues- Courtyard 2

Engage with prominent EHS leaders from the region as they shed light on mastering EHS operations within organizations. Discover the art of communication with top-tier company leadership, sharing valuable guidance for EHS staff, and cutting-edge strategies for EHS risk mitigation and prioritization.
KIMBERLY BAUMAN, Mississippi Lime Company
INGRID SETZLER, Board of Public Utilities, Kansas City, Kansas
BRIAN WANZENRIED, Viterro
LINDEN TERPSTRA, EHS Support Source (Moderator)

11:30 am	<p>RMP and PSM Are Changing – What You Need to Know - A1-A2</p> <p>Mr. Jacobson will discuss recent and upcoming developments to EPA and OSHA regulations governing the management of highly hazardous chemicals, specifically EPA’s Risk Management Plan program and OSHA’s Process Safety Management program. He will discuss how regulated facilities should adapt to recent changes and plan for more changes on the horizon. PAUL JACOBSON, Spencer Fane</p>	<p>Title V: Do’s and Don’ts - Courtyard 2</p> <p>A former permit writer offers advice and best practices to thrive under Title V. JEREMY JAMES, Stanley Consultants</p>
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Lunch Options

12:00 pm	<p>What is an energy audit—and why you should do one? - A1-A2</p> <p>Want to reach your sustainability goals, improve your energy efficiency, and save money? Learn what an energy audit is, how it can help you better understand your energy usage and issues, and how you can leverage your audit to identify opportunities to create energy efficiencies and reduce your carbon footprint. COULTER WOOD, KTL</p>	<p>Lunch Buffet – Courtyard 3 & Courtyard Prefunction</p>
12:45 pm	<p>Making Sense of Recent Case Law and the Impact on EHS Management and Environmental Law - A1-A2</p> <p>Recent SCOTUS and lower court decisions have upended environmental law. This session will focus on the impact of recent case law on State and Federal agencies and EHS management. Key issues: Will Chevron-deference survive? What does the Major Question Doctrine mean? How will the college admissions Title VI decision impact Environmental Justice? How will States, EPA and Congress respond to the new <i>Sackett</i> WOTUS decision? Has environmental standing been attenuated? AJ FERATE, Spencer Fane RYAN RUSSELL KEMPER, Thompson Coburn TOM GREVER, Shook Hardy Bacon AIMEE GUZMAN DAVENPORT, Stinson (Moderator)</p>	<p>Lunch Buffet – Courtyard 3 & Courtyard Prefunction</p>
1:30 pm	<p>Are You Compliant with the Asbestos NESHAP for Your Building AND Your Air Permit? - A1-A2</p> <p>EPA’s Asbestos NESHAP applies to ALL buildings that undergo renovation or demolition, regardless of the year they were built or what type of building they are. Did you know that asbestos NESHAP needs to be accounted for on your air permits as well? A downturn in asbestos enforcement regionally has led to some companies not accounting for the asbestos NESHAP in air permits, leading to non-compliance and fines. In this presentation, we will discuss what you need to know about the asbestos NESHAP, its effect on air permitting, and we’ll sort out the asbestos rule differences between EPA, OSHA’s general industry and construction standards, and state standards. JOE HITT, iSi Environmental</p>	<p>Corrective Action Lessons Learned (The Hard Way) Over a 37-Year Career - Courtyard 2</p> <p>Key lessons learned:</p> <ul style="list-style-type: none"> • Start with a Great Conceptual Site Model • Building Consensus Early • Agreeing on Corrective Action Objectives • Reviewing Other Sites Approved Remedies • Don't Try to Read Regulators Minds • Focus on the Rationale for the Proposed Alternative <p>MICHAEL FRANANO, AECOM</p>

2:00 pm

Capitalizing on Compliance & EMSs to Build Robust Sustainability & ESG Programs - A1-A2

Industries are grappling with evolving Environment, Social and Governance (ESG) demands and expectations from investors, regulators, customers, employees, communities, and other stakeholders. We will delve into how you can capitalize on existing EHS management systems, compliance strategies, and risk management programs to develop ESG programs that are responsive to those demands.

SUSAN BRODIE, Geosyntec
SAMANTHA ANDERSON, Peabody
STEVE POPLAWSKI, Bryan Cave Leighton Paisner
ERIN BROOKS, Bryan Cave Leighton Paisner (Moderator)

PFAS – We Found It, What Now? - Courtyard 2

What happens when the facility discovers the presence of ubiquitous, legacy PFAS release? This session will discuss the regulatory, technical, and legal challenges for addressing PFAS on site. This presentation will summarize current research and understanding of PFAS anthropogenic background concentrations to support informed interpretations of environmental data when evaluating source contributions and the role of the attorney in this process.

MARIA VISHNEVSKIY, Geosyntec
JAMES PRICE, Spencer Fane

2:50 pm

Challenges and Solutions for Developing a Data Driven Carbon Accounting - A1-A2

Developing a data driven carbon accounting program can provide opportunities to optimize operations and reduce emissions – identifying and utilizing the right data will make the difference. With all the data being generated, how do you sort through the noise to identify the right data for carbon accounting? Instead of buying new software, hiring data scientists, or relying on cloud-based solutions (e.g., AI), walk with us as we analyze interactive carbon accounting scenarios to arrive at a framework for sorting through the noise.

ERIC WOOTEN, Terracon

Common Errors: What to Prioritize for your Tier II season - Courtyard 2

Environmental professionals managing EPCRA Tier II for facilities located across multiple jurisdictions are challenged with differing regulations, data management, and reporting accuracy. Attend this session to learn top errors associated with EPCRA Tier II reporting and steps you can take to ensure compliance.

GRACE POLING, Encamp

3:20 pm Break

3:35 pm

KEYNOTE ADDRESS: What to Expect on Energy and Environment in the Final Year of the Biden Administration - A1-A2

The Biden EPA and other Federal agencies have proposed a large number of new regulatory changes that will have a serious impact on environmental policy and the energy transition. This has been significantly accelerated by the passage of new laws such as the Inflation Reduction Act that strongly incentivizes new approaches to renewable energy and GHG management. These changes along with major decisions coming out of the Supreme Court like *Sackett v. EPA* and the forth coming decision on the scope of Chevron deference make for many significant issues to be resolved over the coming months.

MATT LEOPOLD, Hunton Andrews Kurth (former General Counsel, EPA)

4:15 pm

State Directors Discuss and Analyze Key Environmental Issues over Coffee - A1-A2

All four state Directors will discuss and analyze the impact of key compliance and enforcement issues, including: Environmental Justice, PFAS, WOTUS, NAAQS and anything else the Directors want to discuss.

KYRA MOORE, Director, DEQ, MDNR
JIM MACY, Director, Nebraska DEE
ED TORMEY, Administrator, Iowa DNR
LEO HENNING, Director, Environment, KDHE
KEVIN PERRY, REGFORM (Moderator)

5:10 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 27

7:00 am Breakfast

7:45 am Introduce Day 2

7:50 am

Environmental Justice and its Impact on EHS Management - A1-A2

We are more than two years into one of the Biden Administration's seminal issues: Environmental Justice and still struggling to understand EPA's EJ mission and path forward. This panel will discuss the need for direction from EPA, the legal framework for EJ, the cost of complying with EJ requirements, permitting challenges, changes to inspections and enforcements, gathering effective community input, and what the massive increases in EJ funding mean going forward.

JESSIE MERRIGAN, Spencer Fane

LATONYA SANDERS, Chief, Communities Section, EPA Region 7

BRIAN MARTIN, Ameren (Moderator)

8:30 am

Successfully Engaging Your Community in an Age of Heightened Scrutiny and Enhanced Public Participation - A1-A2

A close look at best practices, Do's and Don'ts, identifying genuine community leaders, creating meaningful engagement, how to handle challenging permits, Environmental Justice, PFAS fears, and new challenges for inspections and enforcement.

CHRISTINE PRIES, Ramboll

KELLI CALHOON, Ramboll

SHEILA SHOCKEY, Shockey Consulting

EtO Sterilizer NESHAP – A New Paradigm? - Courtyard 2

On July 2022, the EPA published a community engagement page on Ethylene Oxide Sterilizers showing estimated cancer risks in the communities surrounding select sterilizers, but no proposed rule language was included. Does the review of potential industry risks, with heavy community involvement, prior to the development of rulemaking represent a change in strategy for EPA? Join us to find out how this took place, how the interested public was involved, and what we can expect moving forward with this approach.

JEREMIAS SZUST, Trinity Consultants

Exploring Common Ethical Issues in Environmental Law- Courtyard 3

We will explore commonly occurring ethical issues that arise in environmental law practice. Environmental law can present unique ethical situations that may not arise in other contexts. This CLE will walk through several different ethical rules to explore these situations. Examples include (1) rules on conflicts related to large Superfund sites where multiple clients may be participants, (2) protecting communications with former employees, and more.

DALTON MOTT, Shook, Hardy & Bacon

9:20 am Break

9:40 am

Good Neighbor Policy - A1-A2

The Clean Air Act's "good neighbor" provision requires Missouri (and others) to submit a plan for avoiding sending pollution into other states. Missouri submitted a plan without permanent and enforceable pollution reductions. EPA took action and finalized a plan for Missouri to regulate pollution from those Missouri facilities that affect other states. The Missouri AG filed suit and obtained a stay preventing enforcement while the case moves forward on the merits. We will discuss the controversial program and the effect of the stay in the short term and also the decision on the merits.

STACY STOTTS, Polsinelli

The Big Secret: You already have the software you need to manage EHS programs - Courtyard 2

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 to leverage the Microsoft Power Platform® to elevate EHS and effectively manage compliance documentation and data.

JOE TELL, KTL

10:05 am

10:05 am

**Navigating Sustainability Reporting Standards –
A1-A2**

As sustainability gains greater momentum, the demand for standardized and comparable reporting increases. Investors, consumers, regulatory bodies, and other stakeholders are increasingly pushing for third-party reporting and verification. With so many options available, navigating the third-party reporting landscape can be overwhelming. We will discuss popular reporting standards and how your company can weigh different internal and external factors to make the best choice.
ALYSSA MARTINEC, Burns & McDonnell

**The Changing Landscape of PFAS Due Diligence
- Courtyard 2**

Corporate and property acquisitions are complicated, but the evolving PFAS landscape can quickly bring the process to a grinding halt. We will review an appropriate approach to PFAS in Phase 1 Environmental Site Assessments, including the key elements of regulatory information, file records, historical sources review, and effective site reconnaissance. We will also look at risk pathways and those concerns warranting additional assessments such as a Phase II investigation and other risk mitigation approaches.
DANA WAGNER, Terracon
KYLE FOOTE, Stinson

10:55 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
BRITTANY BARRIENTOS, Stinson

11:45 am

End of Conference

We'll see you next year in September

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GOVERNMENT RATE	REGULATED FACILITY RATE*	SERVICE PROVIDER RATE	EARLY CAREER†
\$480	\$550	\$820	\$340

All registration prices escalated by \$80 on Sept. 8, 2023

*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, 2023 receive a refund minus a \$50 processing fee. Cancellations received September 5, 2023 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.

LODGING: There is no room block. See www.meccconference.com/hotels for hotel suggestions.

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

Attorneys: CLE credits for attorneys are being sought for NE and IA. KS has approved this conference for 12.5 hours CLE and 1 hour ethics. MO has approved this conference for 15 hours CLE and 1 hour ethics.