

# 2005 Midwest Region ENVIRONMENTAL CONFERENCE



## Conference Agenda April 26-27 2005



**Associated  
Industries  
of Missouri**

*The Voice of Missouri Business.*

**With:**

**REGFORM**  
REGULATORY ENVIRONMENTAL GROUP  
FOR MISSOURI

**Conference  
Partners**



**2005 MIDWEST REGION ENVIRONMENTAL CONFERENCE  
HYATT REGENCY CROWN CENTER  
KANSAS CITY, MISSOURI  
APRIL 26-27, 2005  
TENTATIVE CONFERENCE AGENDA**

**Tuesday, April 26, 2005**

Registration, Exhibits Open, Continental  
Breakfast: 7:00 a.m.  
Program: 7:45 a.m.–5:00 p.m.  
Reception: 5:00 p.m.–6:00 p.m.

**Wednesday, April 27, 2005**

Breakfast: 7:30 a.m.  
Program: 8:30 a.m.–12:00 p.m.

**Hotel Accommodations**

Hyatt Regency Crown Center  
2345 McGee Street  
Kansas City, Missouri  
(816) 421-1234 or (800) 233-1234  
On-line reservations can be made at:  
<http://www.crowncenter.hyatt.com>

**Conference Rate: \$109**

Room reservations must be made by April 1, 2005. When making room reservations, please inform the hotel staff that you are

attending the AIM Midwest Region Environmental Symposium.

**Credits**

11.7 CLE

**Dress:** Business Casual

**Registration Fee**

Members\*: \$325 for first attendee  
\$250 each additional attendee  
from same company  
Nonmembers: \$425 for first attendee  
\$350 each additional attendee  
from same company

*\* The term "members" includes anyone who holds membership in Associated Industries of Missouri, the Kansas Chamber, the Iowa Association of Business and Industry, the Nebraska Chamber of Commerce & Industry, the Greater Kansas City Chamber of Commerce and the Regulatory Environmental Group for Missouri.*

**We want to thank all those who have worked to bring you this exceptional line-up of topics and speakers:**

**Jerry Hoffman** – Burns & McDonnell Engineering Co.

**Charles Means** – Associated Electric

**Bob Lambrechts** – Lathrop & Gage L.C.

**Gary Mason** – Integrated Solutions, Inc.

**Kevin Perry** – Regulatory Environmental Group for Missouri

**Norb Plassmeyer** – Associated Industries of Missouri

**Mark Snyder** – Black & Veatch Corporation

**Dave Tripp** – Stinson Morrison Hecker LLP

**Roger Walker** – Armstrong Teasdale LLP

## TUESDAY, APRIL 26, 2005

**7:00 AM – 7:45 AM** – REGISTRATION – EXHIBITS OPEN – CONTINENTAL BREAKFAST

**7:45 AM – 8:00 AM** – WELCOME & INTRODUCTIONS

**8:00 AM – 9:00 AM** – DAVID UHLMANN, CHIEF OF THE US DEPARTMENT OF JUSTICE ENVIRONMENTAL CRIMES SECTION

Mr. Uhlmann will be speaking on the prosecution of environmental and wildlife crimes nationwide through a coordinated effort between the US Attorney's Offices, as well as state and local prosecutors. He will provide a basic overview of the Department of Justice Environmental Crimes section and some of the activities in which they have recently been engaged as well as the Department's priorities for 2005 and beyond.

**9:00 AM – 10:00 AM** –

A) TMDL'S – HEADING INTO UNCHARTED WATERS, PERMITTING UNDER TMDLS & IN 303(d) WATERSHEDS

This session will briefly describe the basic elements of a TMDL. When are TMDLs required and do TMDLs differentiate between point and nonpoint source pollution. How do TMDLs affect existing point sources and will new sources in impaired watersheds be permitted? When disputes arise, how are they addressed? May point sources appeal a TMDL or each others' permits?

Panel:

**Robert Brundage**, Attorney  
*Newman, Comley & Ruth, PC*

**Bill Bryan**, Deputy Attorney General  
*Missouri Attorney General's Office*

### **B) SHIPPING OF HAZARDOUS MATERIALS IN THE POST- 911 ENVIRONMENT**

Hazardous material shipments have been subject to increased scrutiny in the post 911 era of terrorism. The responsibilities of shippers in their relationships with transporters will be stressed, along with pending regulatory initiatives directed at reducing the threat of terrorism. Examples of current enforcement actions and ways to avoid them will be included.

**Terry Pollard**, Hazardous Materials Coordinator for Kansas & Missouri, US Department of Transportation

**10:00 AM – 10:15 AM** – BREAK

**10:15 AM – 11:15 AM** – MOST COMMON HAZARDOUS WASTE INSPECTION FINDINGS & HOW TO GET YOUR FEDERAL HAZARDOUS WASTE PENALTY REDUCED

### **RCRA Enforcement 101**

The RCRA Enforcement 101 presentation will cover topics

from how the Environmental Protection Agency (EPA) targets facilities through negotiating with EPA during case settlement. Discussion of EPA targeting will look into the multifaceted approach used by EPA and the states to identify candidates for inspection. The main generator classifications will be discussed including key differences between Conditionally Exempt Small Quantity Generators, Small Quantity Generators, and Large Quantity Generators. During this part of the presentation, the most common violations found during EPA's Compliance Evaluation Inspections will be discussed. The presentation will conclude with a discussion on post inspection activities such as how to deal with the Notice of Violation, a RCRA 3007 Information Request Letter, and negotiations with EPA.

**Marc Matthews**, ARTD/RESP US EPA

**11:15 AM – 12:15 AM** –

### **A) RISING TIDE OF WATER ISSUES**

Water quality issues are taking center stage in all four states in Region VII. This session will assess how important legal and regulatory changes in water quality standards will impact your facility. This session will focus on anti-degradation, nutrient criteria, BOD loading, whole body contact, reality of disinfection systems, non-point sources, changes in WET testing requirements, and other water quality issues. We will also discuss the likely impact this water quality debate will have on permitting, monitoring, and enforcement. In addition, we will address permitting for environmental results, TMDLs, and the interplay between water quantity and water quality.

Panel:

**Leo Alderman**, Director of Water, Wetlands & Pesticides Division  
*US Environmental Agency – Region VII*

**Roger Walker**, Attorney, *Armstrong Teasdale LLP*

**Mary West**, Director of Public Utilities, *City of Moberly*

**Randy Cooper**, Project Manager, *Environ*

**David Traster**, Attorney, *Foulston Siefkin LLP*

### **B) ENVIRONMENTAL ISSUES DRIVING UTILITY COMPLIANCE AND COSTS**

Electric and gas utilities are facing numerous new environmental requirements that will affect how they design and operate their systems. The EPA has proposed and may have finalized new emission limitations for SO<sub>2</sub>, NO<sub>x</sub> and mercury. The Congress has been considering new multi-emissions legislation which may or may not include a climate change component. Water quality and water supply issues will also affect utility operations. Gas companies, as a major fuel supplier to the electric industry will also be impacted. These new requirements will come at a cost. This session will look at the new utility environmental laws and regulations and discuss the potential impact they will have on energy costs.



Panel:

**Kirk Johnson**, Director  
*NRECA Environmental Affairs Department*  
**George Tullison**, *Empire District Electric*  
**Phyllis Worley**, President, *Kansas Gas Service*

### C) EVERYTHING AN EHS NEEDS TO KNOW ABOUT OSHA COMPLIANCE

This session, pertinent to both in-house staff (owners, operators) and outside consultants, will explore the OSHA compliance issues frequently encountered by EHS professionals in the course of performing construction, environmental investigation, and remediation activities. The following summarizes issues to be discussed:

- The responsibilities of professionals in contractor “over sight” roles
- Roles/responsibilities of facility owners, operators & contractors when working on multi-state worksite
- Requirements for facility owners, operators and contractors for contaminants monitoring
- Whether and to what extent engineering and administrative controls are necessary to reduce employee exposure to chemicals
- Requirements for facility owners, operators and contractors under hazcom, confined space, fall protection, and HAZWOPER

Panel:

**John Barowski**, CIH, CSP; National Practice Leader Safety & Health Consulting – *Black & Veatch*  
**Julie O’Keefe**, Attorney, *Armstrong Teasdale LLP*  
**William J. Denton**, Attorney, *Lathrop & Gage, LC*

### 12:15 PM – 1:45 PM – LUNCHEON

**Jan Loyson**, Pollution Prevention Intern Program Planner, *Iowa State Department of Natural Resources*

Ms. Loyson will speak on the Iowa Intern Program that has put pollution prevention interns into host companies for the last four years. The average environmental cost savings for host companies has been an astounding \$94,000 per year.

### US EPA REGION VII POLLUTION PREVENTION AWARDS

**Mary Carter**, Chief  
Solid Waste & Pollution Prevention Branch  
*US EPA, Region VII*

### AWARD PRESENTATIONS

### 1:45 PM – 2:45 PM – FOCUS ON AIR ISSUES

This diverse panel of air experts with over 65 years of experience on air issues will provide you with a multi-faceted presentation that is sure to provide you with

valuable insights on these enormously complex topics. The panel comprised of an air pollution consultant, an industry representative, an air lawyer and an EPA Air Division Director will provide the audience with a seasoned perspective on the widely applicable topics of Title V compliance certifications, the latest developments in construction permitting of major sources, non-attainment regulation developments and the Boiler MACT. Don’t miss this opportunity to interact with and engage this brain trust on the most pressing air issues.

Panel:

**Art Spratlin**, Director, Air, RCRA & Toxics Division, Region VII, *US Environmental Protection Agency*  
**Tom Grever**, Partner, *Lathrop & Gage, L.C.*  
**Ms. Kasi Dubbs**, Consultant, *Trinity Consultants*  
**Mr. Fran Streitman**, VP Environmental Affairs, *Ash Grove Cement*

### 2:45 PM – 3:00 PM - BREAK

### 3:00 PM – 4:00 PM

### A) CAN YOU FIX THIS CLEANUP SITE AND GET IT OFF MY BOOKS? THE PRIMER AND UPDATE ON TOOLS TO DO JUST THAT!

The purpose of this session is to review the successes and challenges to site assessment, remediation, and reuse of contaminated properties. We will examine successful frameworks for structuring, negotiating and closing contaminated property transactions affecting our businesses and municipalities. You’ll leave the session knowing how new regulatory standards will be effective for private industry at site cleanups and redevelopment of environmentally impaired assets.

- Current States’ Risk-Based Corrective Action Programs to get best value for your cleanup dollar
- Review of environmental contaminants and institutional controls and their application (e.g. UEC) to close the deal.
- Review of the changing due diligence standards
- Reference materials for the most current practices in the States’ programs for closing contaminated site.

Panel: **Scott Young**, Attorney, *Polsinelli Shalton Welte Suelthaus PC*  
**Dale Guariglia**, Attorney, *Bryan Cave LLP*  
**Mark G. Snyder**, Practice Leader – Due Diligence & Remediation, *Black & Veatch*

### B) ENERGY OPTIONS FOR ENVIRONMENTAL MANAGERS & EXECUTIVES

What are the options today for business consumers of energy? What do industry representatives say about the

projections that demand for electricity will require between 1300 to 1900 new power plants in this country in the next 20 years? What will this mean to the cost of electricity and will natural gas and other options become more economic? Energy cost and supply issues are a necessary part of decision-making in environmental control technology and compliance issues. The competitive marketplace for electricity, natural gas and other energy sources has cooled off somewhat, but larger companies still have options in choice of supplier and perhaps can justify independent generation. Smaller companies sometimes band together to negotiate supply and price of energy sources.

Moderators:

**Dave Tripp**, *Stinson Morrison Hecker, LLP*

**Charles Means**, *Associated Electric Cooperatives, Inc.*

Panel:

**Phyllis Worley**, President, *Kansas Gas Service*

**Kiah Harris**, Principle-Power Plant, *Siting, Burns & McDonnell*

### C) EPA VOLUNTARY PROGRAMS

EPA is planning increased emphasis on voluntary programs to achieve environmental objectives. Mr. McLaughlin will describe several existing voluntary programs that can help your company achieve compliance and beyond.

**Chilton (Chet) McLaughlin**-Environmental Engineer & P2 Expert, *EPA – Region VII*

**4:00 PM – 5:00 PM**

### REGULATOR FACE-OFF

Open discussion and Q & A with top regulators in the Midwest from both Region VII EPA and state environmental agencies. Learn the latest information that will impact your facility from the best sources available. In addition, you can help us define the questions and issues in advance by submitting questions in confidence to Cindy Martin at [cmartin@aimo.com](mailto:cmartin@aimo.com) Or in the alternative, bring your questions to this session or come listen to the regulatory brain trust.

Panel:

**Art Spratlin**, Director – Air, RCRA, & Toxics Division, *US EPA Region VII*

**Leo Alderman**, Director – Water, Wetland, & Pesticides Division, *US EPA Region VII*

**Ron Hammerschmidt**, Director, *Kansas Department of Health & Environment*

**Doyle Childers** – Director, *Missouri Department of Natural Resources*

**5:00 PM – 6:00 PM**

REGULATOR RECEPTION

*An opportunity to visit informally with regulators and other industry professionals*

**WEDNESDAY, APRIL 27, 2005**

**7:30 AM – 8:30 AM** – CONTINENTAL BREAKFAST

**8:30 – 9:30 AM** – STRATEGIES FOR BREAKING THE DEADLOCK ON NATIONAL ENERGY LEGISLATION – DEALING WITH GLOBAL WARMING, OIL DEPENDENCE AND ENERGY EFFICIENCY

**Mr. Ralph Cavanagh**, Energy Program Director, *Natural Resource Defense Council Co-author Report of the National Commission on Energy Policy*

**9:30 AM – 9:45 AM** – BREAK

**9:45 AM – 11:30 AM** - Environmental Success Stories

Experience of the recent past has placed the three companies presenting here in a unique position to demonstrate success in facing environmental challenges. Their innovative approaches reveal the leadership required to maintain business activity and improve environmental conditions. Conference attendees will have the opportunity to gain from their experiences. Integrating EMS systems has resulted in a number of benefits, including resource reduction and improved compliance. Facility specific system improvements continue to pay dividends.

**Jack Coogan**, Director, Environmental Health & Safety, *Pfizer-Lincoln, Lincoln, NE*

**Vickie Fisher**, (invited) *Rockwell Collins*

**Scott Lesnet**, Environmental & Safety Manager, *HNI Corporation (formerly HON Industries)*

**11:30 AM – NOON**

CLOSING REMARKS/ADJOURNMENT





# Registration Form

Name \_\_\_\_\_ Title \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

To receive *Member* pricing, please indicate the organization you hold membership in:

- |  |  |
|--|--|
| <input type="checkbox"/> Associated Industries of Missouri           | <input type="checkbox"/> Iowa Association of Business & Industry     |
| <input type="checkbox"/> The Kansas Chamber                          | <input type="checkbox"/> Nebraska Chamber of Commerce & Industry     |
| <input type="checkbox"/> The Greater Kansas City Chamber of Commerce | <input type="checkbox"/> Regulatory Environmental Group for Missouri |

### I will be attending the:

- 2004 Region VII Environmental Conference

Cost for Conference: \$325 Members—\$250 Addt'l attendees from same company

\$425 Nonmembers—\$350 Addt'l attendees from same company

\$ \_\_\_\_\_ Total Amount Enclosed

**Payment must be included with registration.**

Pay by:  Check (*Make checks payable to Associated Industries of Missouri*)  Credit Card (*below*)

VISA/MasterCard Acct # \_\_\_\_\_

Exp. \_\_\_\_\_ Signature \_\_\_\_\_

**Handouts will be provided on CD-ROM. It will run from the CD in Adobe Acrobat Reader, and be accompanied by a 1-page printed summary of each session, as well as a conference agenda. Bring your laptops for instant access!**

*Cancellations must be received 48 hours prior to the program to obtain a refund or avoid charges. For more information, or if special accommodations are needed, please contact Cindy Martin at (573) 634-2246.*

**Please complete form and return with payment to:**

Associated Industries of Missouri  
P.O. Box 1709 • Jefferson City, MO 65102  
You can also register by:  
Phone: (573) 634-2246  
Fax: (573) 634-4406  
Visit AIM's website at [www.aimo.com](http://www.aimo.com)