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- Maul Foster & Alongi, Inc.
- SCOPE Law Firm PLLC
- Stoel Rives LLP
- StormwaterRx LLC
- Tupper Mack Brower PLLC
- U.S. EPA - Region 10

Who Should Attend:

Attorneys, governmental officials, real estate and environmental professionals, consultants and planners

Our 11th Annual Seminar on New Developments for

Clean Water and Stormwater

New permits and practical strategies for compliance

If you cannot attend
-Live Webcast Available-
for this program

April 8, 2010

Seattle, Washington

Seattle Hilton Hotel

Credits: WA CLE 7.5 (call about others)

Quick when/where: 8:30 a.m., 1301 Sixth Avenue & University Street

Clean Water and Stormwater Workshop

April 8, 2010 | Seattle, Washington
Seattle Hilton Hotel

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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Jeff B. Kray, Esq., Program Co-Chair
Marten Law Group ~ Seattle, WA

Michael P. O'Connell, Esq., Program Co-Chair
Stoel Rives LLP ~ Seattle, WA

8:45 Ecology's New Industrial Stormwater General Permit (ISGP)

What is in the new ISGP? What are Ecology's expectations moving forward? What does Ecology want to see for response actions, particularly at Level 3?

Jeff B. Kray, Esq., Program Co-Chair

9:30 Reducing Your Exposure

A proactive approach to avoiding enforcement liability; a lawyer's perspective on ways to avoid citizen suit liability by reducing the target on your back

James A. Tupper, Jr., Esq.
Tupper Mack Brower PLLC ~ Seattle, WA USA

10:15 Break

10:30 The Nuts and Bolts of Compliance Strategies for the New ISGP

Managing the new permit; reporting and recordkeeping; requirements for Level 1, 2, and 3 responses; sampling and inspection; pollutant sources and controls; permit modifications; AKART; best practices for avoiding citizen suits

Overview

Nathan Graves, VP and Principal Environmental Scientist
Kennedy/Jenks Consultants ~ Portland, OR

Case histories

Jerry Ninteman, PE, Environmental Services Director
Landau Associates ~ Edmonds, WA

Neil R. Alongi, P.E., Vice President and Principal Engineer
Maul Foster & Alongi, Inc. ~ Vancouver, WA

12:00 Lunch (on your own)

1:15 Stormwater Treatment: Techniques and Potential Cost of Additional Treatment to be Required Under the Permit

New technologies

Cal Noling, P.E., President and Founder
StormwaterRx LLC ~ Portland, OR

Cost assessments

Barry Kellems, P.E., Principal Engineer
ARCADIS ~ Seattle, WA

2:30 Quick Takes: EPA's New Construction and Development Effluent Limitations Guidelines and Standards Rule; Fish Impacts on NPDES Permits

How and when the rule will be incorporated into EPA's CGP and state permits and interim extension of EPA's CGP until 2011; NEPA requirements for EPA's new CGP; significance for Indian country, Idaho, and federal facilities in Washington

Michael P. O'Connell, Esq., Program Co-Chair

Revisions to Oregon's water quality standards stemming from Oregon's use of a higher fish consumption rate to calculate the standards; impacts for Washington water quality standards

Michael R. Campbell, Esq.
Stoel Rives LLP ~ Portland, OR

3:30 Break

3:45 Special Address: Federal Perspective on Enforcement

Priorities, program structure, and funding

Edward J. Kowalski, Director
Office of Compliance and Enforcement
U.S. EPA - Region 10 ~ Seattle, WA

4:15 Enforcement and Citizen Suit Liability

Plaintiff and defense perspectives on Clean Water Act citizen suits; Ninth Circuit standards; prospects for CO2 driven climate change suits in coastal areas

Richard A. Poulin, Esq.
SCOPE Law Firm PLLC ~ Seattle, WA

How to respond to citizen suit notice letters

Jeff B. Kray, Esq., Program Co-Chair

5:30 Evaluations and Adjourn



About the Workshop

LAW SEMINARS INTERNATIONAL

Advanced Workshops

offer busy practitioners intensive up-to-date information in a one-day program.

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Stormwater continues to be a significant source of concern to the health of Puget Sound and the object of ever increasing regulation. The Washington Department of Ecology has issued a new Industrial Stormwater General Permit and the EPA has issued a Clean Water Act Enforcement Action plan. There is a clear direction toward treatment and compliance with numeric standards. Compliance will be a significant challenge to many businesses and there will be particular challenges for industrial, municipal, and construction stormwater dischargers. Facilities are also under increasing scrutiny from citizen suit litigation.

We have assembled experienced representatives of state, federal and local governments, consultants and practitioners who will provide practical suggestions and insights on managing compliance and other important Clean Water Act issues.

~ Program Co-Chairs: Michael P. O'Connell, Esq. and Jeff B. Kray, Esq.



Jeff B. Kray, *Program Co-Chair* and partner at Marten Law Group, focuses on water resources, water quality, and complex environmental litigation, including CERCLA (Superfund) site remediation. He is named a "Super Lawyer" in *Washington Law & Politics*.

Michael P. O'Connell, *Program Co-Chair*, partner at Stael Rives LLP, focuses his practice on natural resources, environmental, energy, water rights and Indian law matters involving project development. He is listed in *Best Lawyers in America*.

Edward J. Kowalski, *Special Address*, Director of the U.S. EPA's Office of Compliance and Enforcement for Region 10 is responsible for coordinating EPA's enforcement and compliance efforts in Alaska, Washington, Oregon and Idaho. Previously, he headed Region 10's Legal Office of Regional Counsel.

Neil R. Alongi, P.E., Vice President and Principal Engineer of Maul Foster & Alongi, Inc., is experienced in siting and expansion of industrial facilities, containment and disposal of solid and hazardous material, and management of industrial wastewater and stormwater.

Michael Campbell, partner at Stael Rives LLP, focuses on water quality regulation and permitting. He represents clients on water quality matters, including wastewater and storm water discharge permits, federal and state fill permits, section 401 certifications for hydroelectric projects, and the development of water quality standards and regulations.

Nathan Graves is Vice President and Principal Environmental Scientist with Kennedy/Jenks Consultants. He primarily works in the areas of water quality, environmental compliance and site cleanup, providing strategic management of projects and as an expert during legal proceedings.

Barry Kellems, P.E., Principal Engineer at ARCADIS, has worked in all phases of stormwater management at industrial facilities, including NPDES permitting, feasibility studies, and design, construction and performance monitoring of stormwater treatment facilities.

Jerry Ninteman, P.E., Environmental Services Director at Landau Associates, helps clients to comply with requirements of the Washington Industrial Stormwater General Permit, and is experienced in the environmental and remediation and stormwater management industry.

Cal Noling, President and Founder of StormwaterRx LLC, develops and designs water purification systems for industry. StormwaterRx manufactures industrial stormwater treatment BMPs including the Aquip Enhanced Filtration and other stormwater treatment systems that are used by industrial facilities for stormwater reclamation.

Richard A. Poulin, founder of SCOPE Law Firm, PLLC, represents environmental organizations in Clean Water Act citizen suits enforcing NPDES permits, and individuals with natural resource damage claims. His work typically involves the Clean Water Act, Public Records Act, and the State Environmental Policy Act.

James A. Tupper, Jr., partner at Tupper Mack Brower PLLC, focuses on environmental law with emphasis on water quality, water resources and shoreline development. He is listed as a "Super Lawyer" by *Washington Law & Politics* magazine.



Registration & Other Workshop Information

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Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for in person or webcast attendance for this program is \$695 with a group rate of \$595 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$495. For students and people in their job for less than a year, our rate is \$347.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive

your cancellation by 5:00 p.m. on Friday, April 2, 2010. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The workshop will be held at the Seattle Hilton Hotel at 1301 Sixth Avenue and University Street in Seattle, WA 98104. Call the hotel directly at (206) 624-0500 for reservations and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 7 WA CLE credits. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or searchable CD), is available for \$705. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.



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You Will Learn About:

- The new Industrial Stormwater General Permit (ISGP)
- Avoiding enforcement liability
- Compliance strategies for the new ISGP
- Stormwater treatment techniques and additional treatment costs
- NEPA requirements for EPA's CGP
- Calculating Oregon's fish consumption rate to determine water quality standards
- The federal perspective on enforcement
- Plaintiff and defendant perspective's Clean Water Act citizen suits

Watch for our telebriefings on major legal developments.

Members of our distinguished faculties will present analyses of major decisions and other developments as soon as they happen in a one-hour telephone conference.

If you wish to receive announcements for telebriefings that affect you, please make sure we have your email address—send it to me, H. Kate Johnson, President:

kate@lawseminars.com

Law Seminars International News:

Upcoming Seminars:

Land Use in Washington	April 19 & 20, 2010	Seattle, WA
California Stormwater Water Quality Summit	April 21, 2010	Irvine, CA
Tribal Energy in the Southwest	May 3 & 4, 2010	Albuquerque, NM
Idaho Water Law: Water Quality and Support	May 13 & 14, 2010	Boise, ID
Water Law	June 3 & 4, 2010	Seattle, WA
TMDLs in the Spokane Basin	June 23, 2010	Spokane, WA
California Water Quality and Its Impact on Supply	July 22 & 23, 2010	San Francisco, CA

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