



**LAW SEMINARS
INTERNATIONAL**

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A Timely Comprehensive Virtual Conference on
**PFAS Contamination and Regulation
in California**

*Evolving regulations and contamination standards, forensic techniques,
theories of liability, treatment options, litigation preparation, and
environmental due diligence moving forward*

December 3 & 4, 2020

Via Interactive Zoom Broadcast

Agenda—Day 1

8:30 Registration Opens

9:00 Introduction & Overview

Jeffrey Dintzer, Esq., Program Co-Chair
Alston & Bird ~ Los Angeles, CA

Lydia Dorrance, Ph.D., Program Co-Chair,
Senior Scientist
Geosyntec Consultants, Inc. ~ Oakland, CA

9:15 Update on the Chemistry, Occurrence and Toxicity of PFAS

Background, nomenclature, sources, and unique characteristics of PFAS compounds

David S. Lipson, Ph.D., P.G.,
Principal Hydrogeologist

HRS Water Consultants, Inc. ~ Lakewood, CO

Identifying specific PFAS chemical compounds, their toxicity and persistency characteristics, and health impacts

Linda C. Hall, Ph.D.,
Senior Associate Toxicologist
GSI Environmental ~ Oakland, CA

10:30 Break

10:45 Federal Regulatory Developments Relating to PFAS Contamination

EPA: Safe Drinking Water Act enforcement; Unregulated Contaminant Monitoring Rule; Health Advisories; groundwater contamination recommendations; the push to regulate PFOA-based chemicals as a group; litigation and other developments

Matthew Wickersham, Esq.
Alston & Bird ~ Los Angeles, CA

The interplay between EPA and Department of Defense and the interagency dispute over listing as a hazardous substance

Brian L. Zagon, Esq.
Van Ness Feldman ~ Lafayette, CA

12:15 Lunch (on your own)

1:30 California's Regulatory Response

California's PFAS Phased Investigation Plan: Summary of publicly available results from first round of investigations; other administrative developments including establishment of Environmental Screening Levels (ESLs)

Andria Ventura, Toxics Program Manager
Clean Water Action Inc ~ Oakland, CA

Prop 65 notification requirements and status of potential Maximum Contaminant Level (MCL) standards

Maureen F. Gorsen, Esq.
Alston & Bird ~ Sacramento, CA

Status report on regulatory investigations into potential Clean Water Act violations involving a range of facilities from airports to refineries to wastewater treatment plants and including stormwater runoff management systems

Wendy Linck, Senior Engineering Geologist
State Water Resources Control Board
Sacramento, CA

3:30 Break

3:45 PFAS Fate and Transport, Source Forensics, and Treatment

Fate and transport in complex environmental matrices and systems

Jennifer Field, Ph.D., PG,
Professor of Environmental and Molecular Biology
Oregon State University ~ Corvallis, OR

Considerations for fingerprinting PFAS sources; treatment/remediation advances

Rula A. Deeb, Ph.D., Senior Principal
Geosyntec Consultants ~ Oakland, CA

5:00 Continue the Exchange of Ideas: Virtual Reception for Faculty and Attendees

Open mic: Grab your favorite beverage and snack for a moment of comradery and a less structured discussion of what is happening in the PFAS litigation world

Agenda—Day 2

9:00 PFAS and Hazardous Materials Cleanup Laws

CWA violations, CERCLA designations, and NRD claims as potential game changers: How they may affect the universe of potentially responsible parties, investigation and the remediation processes; impact of NRD Trustees filing claims

Sarah Peterman Bell, Esq.
Farella Braun + Martel ~ San Francisco, CA

Brandon Steets, P.E.,
Senior Principal Engineer
Geosyntec Consultants ~ Santa Barbara, CA

Ryan Stifter,
Director, Economics & Complex Analytics
Roux Associates ~ Oakland, CA

10:45 Break

11:00 Practical Tips for Approaching PFAS Cases

Update on the Aqueous Film Forming Foam (AFFF) Multi-District Litigation: Nature of the consolidated cases; key issues to be resolved

Adam Baas, Esq.

DLA Piper ~ San Francisco, CA

Tips for working with scientific experts in developing case strategies: Early review of PFAS sources and occurrence data in light of evolving regulations; identifying proven and developing treatment technologies for mitigation planning

Avram Frankel, P.E., Principal

Integral Consulting Inc ~ San Francisco, CA

12:15 Lunch (on your own)

1:30 Fluorine Free Foams as Alternatives to PFAS for Fighting Fires

What is available, effectiveness, and environmental side effects

Graham Peaslee, Ph.D., Professor

University of Notre Dame ~ Notre Dame, IN

2:00 Drinking Water Treatment Options

Specific examples of the different types of technologies used to treat PFAS and their effectiveness

Robert Crow, President & CEO

Aqueous Vets ~ Danville, CA

2:30 Break

2:45 PFAS Considerations in Future Business Transactions

Environmental due diligence and continuing (Due Care) obligations: PFAS due diligence in the context of mergers and acquisitions or real estate transactions

Edward B. Witte, Esq.

Godfrey & Kahn ~ Milwaukee, WI

What to test for and how to test for it: Developing an effective PFAS testing strategy and integrating it into your due diligence processes

Taryn McKnight

Eurofins Environment Testing America

Sacramento, CA

Risk management for owners and operators or buyers and sellers as potentially responsible parties: Insurance options and issues unique to PFAS substances; other recent developments in environmental insurance coverage

Kimberly Bick, Esq.

Bick Law ~ Newport Beach, CA

4:30 Evaluations & Adjourn

Who Should Attend

Attorneys, environmental consultants, land use planners and other agency officials, Tribal leaders, water system operators, and potentially responsible parties

About the Conference

While California remains largely on the sidelines of the ongoing legal PFAS battles in other states, 2020 was not without important PFAS developments for the California.

The California State Water Resources Control Board-mandated investigations of PFAS sources continue, with data from the initial round of investigations now available to the public. PFAS data from subsequent rounds of investigations, targeting sectors including wastewater treatment and petroleum, will likely be available in the near future, building the potential for cost recovery and toxic tort litigation. The development of Environmental Screening Levels by the San Francisco Regional Water Quality Control Board brings new guidance, and challenges, for responsible parties remediating PFAS contamination within California.

Further, responsible parties, property owners, and developers in California and beyond must also grapple with uncertainty surrounding legislation to designate PFAS as hazardous substances under the CERCLA statute and the implications of this designation for due diligence and site cleanup requirements. Additionally, California's unique Proposition 65 Duty to Warn requirements for PFAS have not yet resulted in a wave of litigation, but as water purveyors are required to report concentrations of PFAS in drinking water supplies to customers it is almost certain that litigation to offset cleanup costs will follow.

Meanwhile, the development of PFAS-free replacement products, including fluorine-free alternatives to PFAS-containing fire-fighting foams, continues on a national and global scale, but the efficacy and reliability of such substitutes has not yet been fully vetted.

Register soon for this cutting-edge virtual conference on PFAS Contamination and Regulation in California. To keep everyone safe, it will be an interactive Zoom broadcast with a virtual reception for less formal conversation about PFAS issues among the participants.

~ Jeffrey Dintzer, Esq. of Alston & Bird and
Lydia Dorrance, Ph.D. of Geosyntec Consultants, Inc.,
Program Co-Chairs

Registration & Other Conference Information

Tuition: Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees and Tribal members, we offer a special rate of \$745. For students, people in their job for less than a year, and public interest NGO's, our rate is \$497.50. All rates include admission to all program sessions and course materials. Make checks payable to Law Seminars International.

As an added bonus, you'll receive access to audio and video recordings of the program at no extra charge.

Financial aid is available to those who qualify. Contact our office for more information.

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, November 27, 2020. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Continuing Education Credit: Live credits: Law Seminars International is a State Bar of California approved MCLE provider. This program qualifies for 12.0 California MCLE credits. It also qualifies for 11/75 ABCEP environmental professional and 11.75 AICP planner credits. Upon request, we will help you apply for CLE credits in other states and other types of credits.

Time Shift Your Content: Audio and video replay files, with course materials, are available for download or on a flash drive at the same price as live attendance. Files are available for downloading five business days after the program or from the date we receive payment. Flashdrive orders are sent via First Class mail within seven business days after the program or from the date we receive payment. The course materials alone are available for \$100.

Faculty

Jeffrey Dintzer, *Program Co-Chair*, is a partner at Alston & Bird. He defends large toxic tort cases and class action litigation involving hundreds of plaintiffs, serves as trial counsel in cases involving environmental claims, and manages private cost recovery litigation.

Lydia Dorrance, Ph.D., *Program Co-Chair*, is a Senior Scientist at Geosyntec Consultants, Inc. She specializes in investigation of source, timing and contribution of pollution releases and providing scientific support for environmental litigation.

Adam Baas is of counsel to DLA Piper. He concentrates his practice in the area of environmental and toxic tort litigation, regulatory compliance, product liability, corporate successor liability and transactions involving environmentally impacted assets.

Sarah Peterman Bell is a partner at Farella Braun + Martel. She focuses on environmental and natural resources litigation in the areas of environmental enforcement actions, cost recovery, citizen suits, water quality, complex toxic tort, and product liability matters.

Kimberly Bick, Bick Law, worked as an environmental compliance and Superfund remediation engineer before becoming a lawyer. She focuses on environmental litigation, regulatory compliance, enforcement, and corporate transactional work involving environmental issues.

Robert Crow is President & CEO of Aqueous Vets. His technical expertise is in the areas of municipal and industrial water and wastewater treatment systems, underground water conveyance infrastructure, and filtration and treatment media applications.

Rula A. Deeb, Ph.D., is a Senior Principal at Geosyntec Consultants focusing on emerging contaminants. She is an internationally recognized expert on sources, occurrence, fate and transport, and behavior of contaminants, including PFAS, 1,4-dioxane, methyl tertiary-butyl ether (MTBE), perchlorate, N-Nitrosodimethylamine (NDMA), endocrine disrupting chemicals (EDCs), and pharmaceuticals and personal care products (PPCPs).

Jennifer Field, Ph.D., PG, is a Professor of Environmental and Molecular Biology at Oregon State University. She was a pioneer in the area of fluorochemical occurrence and behavior with a focus on groundwater contaminated by fire-fighting foams, municipal wastewater treatment systems, and in municipal landfill leachates. Her current research concentrates on the use of large-volume injections with liquid chromatography/mass spectrometry as a quantitative yet cost- and time-saving approach for the analysis of aqueous environmental samples.

Avram Frankel, P.E. is a Principal at Integral Consulting Inc. He has spent a large portion of his career addressing emerging contaminants of the past and present including hexavalent chromium, perchlorate, 1,4-dioxane, PFAS, and 1,2,3-trichloropropane (1,2,3-TCP). He currently serves as a technical expert in many groundwater contamination and water treatment matters focused on the mitigation of regulated chemicals in drinking water.

Maureen F. Gorsen is a partner at Alston & Bird. She is the former Director of the California Department of Toxic Substances Control (DTSC), where she directed regulation of waste, soil, and water cleanups under CERCLA, the RCRA and brownfields laws. She spearheaded the California Green Chemistry Initiative and resulting laws governing chemicals under the California Safer Consumer Products rules and other states' products programs and federal TSCA reform.

Linda C. Hall, Ph.D. is a Senior Associate Toxicologist at GSI Environmental. She is currently a task co-lead for the Interstate Technology and Regulatory Council (ITRC) PFAS team.

Wendy Linck is a Senior Engineering Geologist at the California State Water Resources Control Board. She is part of leadership team at the State Water Board regarding the state-wide investigation of Per- and polyfluoroalkyl substances (PFAS).

David S. Lipson, Ph.D., P.G., is a Principal Hydrogeologist at HRS Water Consultants, Inc. He specializes in groundwater and surface-water hydrology, groundwater-surface water interactions, water quality, fate and transport of contaminants, groundwater remediation, and geochemistry.

Taryn McKnight is the PFAS Practice Leader for Eurofins Environment Testing America. She has extensive experience with a wide variety of complex regulatory programs such as Department of Defense, Vapor Intrusion and emerging contaminants.

Graham Peaslee, Ph.D., is a Professor of Experimental Nuclear Physics at the University of Notre Dame. His research interests lie at the interface between any nuclear or atomic physics measurement method and materials that impact society. This includes measurements to determine the presence or occurrence of PFAS in the environment.

Brandon Steets, P.E., is a Senior Principal Engineer at Geosyntec Consultants. A subject matter expert on bacteria/pathogen issues, his specialty includes microbial source tracking (MST).

Ryan Stifter is Director of Economics & Complex Analytics at Roux Associates. He leads quantitative economic research and analysis into issues arising in litigation, insurance claims, environmental regulation and enforcement, natural resource management, and business decisions affected by contingent liabilities.

Andria Ventura is Toxics Program Manager at Clean Water Action Inc. She staffs the TMDL (Total Maximum Daily Load), drinking water contaminants, and chemical policy programs. She also has been a stakeholder involved with the development of the Green Chemistry program, the state Division of Drinking Water's Direct Potable Reuse Advisory Group, and various county pharmaceutical waste policy initiatives.

Matthew Wickersham is a partner at Alston & Bird. He advises clients on regulatory programs related to environmental warning labels, underground storage tanks, environmental disclosure laws, brownfield laws, water rights, and land-use regulations.

Edward B. Witte is a shareholder in the Environmental Strategies Practice Group at Godfrey & Kahn. He has particular experience in counseling clients and writing and presenting at seminars concerning the emerging contaminants PFAS (including PFOA and PFOS.)

Brian L. Zagon is a partner at Van Ness Feldman. He assists clients in the environmental counseling, environmental litigation and insurance coverage arenas and has experience resolving multi-party cases brought under CERCLA, RCRA, the California Health and Safety Code, and the California Water Code.