

CERCLA/MTCA 2010 Advanced Sediment Conference

**April 22, 2010
Washington Convention Center
Seattle WA**

8:00-8:30 Registration and Continental Breakfast

8:30 Welcome and Introductions
Holly Duncan, President
Environmental Law Education Center

LEGAL & REGULATORY UPDATES

8:30-9:00 Latest Legal Developments

- Allocation, Divisibility, and Joint and Several Liability
- Has the Burlington Northern Case Changed the Superfund Practice?
- What Has the Supreme Court Decision Meant for US EPA and Potentially Responsible Parties?

Steve Jones, Marten Law

9:00-9:30 CERCLA & Major Sediment Cleanup Sites

- EPA's Contaminated Sediment Cleanup Program
- Site Updates, Experiences in the Field, and Lessons Learned

Allison Hiltner, Project Manager
Office of Environmental Cleanup
US Environmental Protection Agency, Region 10

9:30-10:00 Cleaning Up Contaminated Sites in Washington: Policy and Regulatory Developments

- Clarifying Cleanup Decision-Making
- MTCA and Sediment Management Standards: Integration & Coordination

Dave Bradley, Manager, Toxics Cleanup Program
Washington Department of Ecology

10:00-10:15 BREAK

SEDIMENT HOT TOPICS: MTCA, SMS UPDATE, BACKGROUND & BIOACCUMULATION

10:15-11:00 Sediment Hot Topics

- Puget Sound Initiative Update on Sediment Cleanup

- Sorting out the Technical, Scientific and Policy Issues
- Rule Revisions: Background, Bioaccumulation, Human Health and Freshwater Standards

Chance Asher, *Manager, Aquatic Lands Cleanup
Toxics Cleanup Program
Washington Department of Ecology*

11:00-11:30 Harmonizing MTCA & SMS

- Public Involvement in the Rule Revision Process
- Possible Rule Changes – What you Need to Know
- Practical Impact on PRPs & Implementation Issues

Alexandra Smith, *Lane Powell*

11:30-12:00 Background & Bioaccumulation

- Background-Based Sediment Cleanup Considerations
- What Can We Learn From Regional and National Sediment Programs?

Clay Patmont, *Anchor QEA*

12:00-1:00 LUNCH

HUMAN HEALTH RISK ASSESSMENTS

1:00-1:30 Sediment Risk Assessments - Toxicity and Human Health Exposure

- Methodologies and Available Data for Determining Seafood Consumption Rates for Human Health Risk Assessment
- Selecting Seafood Consumption Rates for Human Health Risk Assessment
- Seafood Consumption Risks and Levels of Contamination in Sediment

Lon Kissinger, *Toxicologist
Office of Environmental Assessment
US Environmental Protection Agency, Region 10*

1:30-2:00 Tribes, Treaty Rights and Fish Consumption

- Evaluating the Risk Associated with Fish Consumption
- Effects of Contamination and Depletion of Fish upon the Tribes Rights and Resources

Catherine O'Neill, *Associate Professor of Law
Seattle University School of Law*

2:00-2:30 Role of Risk Assessments in Decision-Making

- Risk versus Benefits – The Fish Consumption Conundrum
- Is Risk Being Characterized Objectively?
- “Risk in Light of Benefits” – The Decision Maker’s Responsibility

Bruce Hope, *PhD, Environmental Toxicologist
Oregon Department of Environmental Quality*

2:30-3:00 BREAK

STORMWATER, SOURCE CONTROL, CSOs & CONTAMINATED SEDIMENT

- 3:00-3:30** **Regulatory Framework: CERCLA/MTCA/SMS & Clean Water Act**
- Role of Source Control and Stormwater in Sediment Decision-Making
 - Where Does the Clean Water Act and NPDES Permitting Fit In?
- Tom Newlon, Stoel Rives LLP*
- 3:30-4:00** **Source Control and Stormwater at Sediment Sites**
- Challenges and Complexities of Controlling Stormwater Sources
 - Stormwater, Other Sources, and the Uncertain Linkage to Sediment Quality
- Warren Hansen, P.E., Windward Environmental LLC*
- 4:00-4:30** **Stormwater, Sediments & Brownfield Re-Development**
- Strategies for Minimizing Recontamination and Associated Liability Concerns to encourage re-development
 - Considerations for selection and Design of Targeted, Site-Specific Stormwater Best Management Practices
 - Minimizing Potential for Sediment Contamination and Re-Contamination
- Eric Strecker, PE, Geosyntec Consultants*
- 4:30-5:00** **Environmental Advocates Perspective**
- Dredge Management, MTCA, CSOs, Source Control and Stormwater
 - Toxics in Puget Sound – What Do We Know? What Can Be Done?
- Heather Trim*
People for the Puget Sound
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