



2020 MISSOURI COMPLIANCE & ENFORCEMENT SEMINAR

How to Stay Out of Trouble and Manage Enforcement Issues
by live streaming video

Presented by



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Program Schedule

Wednesday, March 25
via live streaming video

8:00 a.m. Welcome
ROGER WALKER, REGFORM

8:10 a.m. Compliance Perspectives from DEQ
This session takes a look at compliance efforts from the DEQ level. What approach is the Division taking to bring

facilities into compliance and keep them there? Mr. Galbraith will talk about priorities, values, and goals as the major regulatory programs at DNR work to bring their regulated facilities in to the fold of optimal compliance. ED GALBRAITH, Director, Division of Environmental Quality, MDNR

8:35 a.m. Water Protection Program Compliance and Enforcement Takes on SNC and Other Priorities

For facilities with NPDES permits, Significant Non-Compliance (SNC) is in the 30% range in Missouri. What is happening at MDNR to reduce the rates of SNC? What are the causes of DMR non-compliance? Can you take action to get off or stay off the SNC list? Also, what are inspections from the Water Protection Program turning up? What is there to be learned about sludge reporting and emission limit exceedances? Is a robo-call in your future? You'll also learn what types and level of complexity in compliance issues can't be addressed at the Region level; they go to HQ in Jeff City. You'll also have the opportunity to understand more fully the WPP's non-punitive views on coming into compliance--a mindset of problem-solving and cooperation that works in a process that can deliver on compliance without NOV's or damaging enforcement predicaments.

KRISTI SAVAGE-CLARKE, MDNR, Chief Compliance and Enforcement Section, Water Protection Program

9:00 a.m. Anatomy of Criminal Enforcement: When Does Your Action Become a Crime?

In his white collar criminal and civil practice, Mr. Brought has helped numerous clients manage and reduce liability. His experience in enforcement matters associated with the Clean Air Act, the Clean Water Act, RCRA, EPCRA, OSHA, and related environmental laws is substantial. This session will focus on how to know when actions become criminal. ANDREW BROUGHT, Partner, Spencer Fane LLP

9:25 a.m. Break

9:30 a.m. Having Done a Few Things...

Mr. Waters will discuss practice pointers for dealing with environmental issues based on experiences as a lawyer in private practice with a large St. Louis law firm, as an in-house lawyer for a Fortune 200 company, and as a state government attorney.

RICHARD WATERS, Attorney, MDNR

9:55 a.m. Communication: A Key to Compliance Success in the Waste Management Program—A Panel Featuring Q&A

On average, 77% of inspected generator facilities in Missouri are in compliance. 2% end up in formal enforcement. The other 21% are addressed through compliance assistance. That compliance assistance process is fundamentally based on communication and cooperation. This panel will discuss the top findings identified in inspections and why those issues happen. They'll also discuss how a mind-set of communication and cooperative problem-solving can replace the idea of gotcha enforcement tactics that may remain in the minds of generators. You can navigate and mitigate inspection findings through communication and dialog. If there is a finding, you can positively affect the process through communication and cooperation. This panel will be interactive. Come with your questions for dynamic Q&A. MIKE PARRIS, MDNR, Chief, Compliance/Enforcement Section, Waste Management Program

NICOLE EBY, Environmental Supervisor, Hazardous Waste Enforcement Unit, MDNR

CHRIS NAGEL, Director, Waste Management Program, MDNR

10:20 am Know Your Community: Growing Citizen Involvement in Enforcement, Legislation, and Rulemaking

This session will explore the increased use of political and media pressure to push government enforcement, resolution, or other actions that target third parties, even in the absence of government enforcement. This session also addresses increased participation in rulemaking and legislative initiatives designed to shape the law that applies to your operations.

RENEE CIPRIANO, Partner, Thompson Coburn

10:45 a.m. Break

10:50 a.m. Tracking Non-Compliance and the Public Drinking Water Approach

Reducing Noncompliance with Drinking Water Standards at Community Water Systems is part of US EPA's National Compliance Initiative (NCI). How is the Department tracking non-compliance and then interacting with local facilities? What is the Branch doing to identify potential issues early and head off problems before they really are problems?

LANCE DORSEY, Chief, Compliance and Enforcement Section, Public Drinking Water Branch, MDNR

11:15 a.m. Air Compliance and Enforcement Insights

Mr. Swartz will discuss ACPD efforts to increase compliance assistance at the Regional Office level, top ten inspection findings, and practical tips for working with the Program on compliance and enforcement.

RICHARD SWARTZ, Compliance and Enforcement Section Chief, Air Pollution Control Program, MDNR
ART GOODIN, MDNR, Southwest Regional Office Director

11:40 p.m. Rationale and Response to an Expedited Settlement Agreement Offered by US EPA Region 7

Mr. Walker will discuss a hypothetical case of a facility's subjective views on receiving an expedited settlement offer, the rationale and decision-making process to be considered, and variables and implications of the facility's response. Cost, complexity, accuracy, and fairness will be discussed.

ROGER WALKER, Executive Director, REGFORM

11:50 a.m. How to Stay out of Trouble and Manage Enforcement Issues

Mr. Cozad will offer his insight and expertise on how to stay out of trouble and tips on managing enforcement issues. Mr. Cozad will also cover state/federal relations, EPA compliance efforts in program areas that are not delegated to Missouri, and offer a brief update on federal compliance initiatives.

12:15 p.m. Adjourn