

# EPA: FULL THROTTLE 2024

## What to Expect in 2024 from the Biden/Regan EPA

December 5, 2023

by Zoom only

Presented by



### Program Schedule

Tuesday, December 5, 2023

All times are CST.

- 7:30 a.m. CST** **Tech Check for Participants**  
KEVIN PERRY, Assistant Director, REGFORM
- 7:55 a.m.** **Welcome**  
ROGER WALKER, Executive Director, REGFORM  
KELLY THOMPSON, Executive Director, IERG
- 8:00 a.m.** **Inside D.C. View of the Biden/Regan EPA and Ramifications for 2024**  
Mr. Wright brings unique insight, experience and knowledge as a former managing counsel at The Dow Chemical Company, Assistant Administrator at USEPA, and legal counsel at two prestigious law firms, to help us make sense of what to expect in 2024 from the Biden/Regan EPA.  
PETER WRIGHT, Environmental Advisor, Strategist and Attorney
- 8:25 a.m.** **Environmental Justice: New Perils for Permitting, Enforcement, and Application of Cumulative Risk**  
Environmental justice has been a driving factor at both the federal level and in “blue” states in recent years. This segment will focus on federal and state developments this year related to enforcement and permitting, as well as the development of technical guidance on “cumulative impact” issues.  
J. MICHAEL SHOWALTER, Partner, ArentFox Schiff  
ARI LEWIS, Gradient
- 9:05 a.m.** **PFAS: Breakneck Speed on a Ubiquitous (but not Fully Understood) Chemical**  
New amazingly low standards and emerging rules, new disclosure requirements, expanding litigation, rising market demand for alternatives, and much more. What to expect in 2024 and an assessment of the far-

reaching implications for everyone linked to the PFAS chain.

JAMES PRICE, Partner, Spencer Fane  
ED GALBRAITH, Barr Engineering

- 9:45 a.m.** **Air Overload: Everything, Everywhere, All at Once**  
AERR, PM 2.5, RMP, Ozone and exceptional events, Interstate Transport are just the tip of the iceberg in EPA's race to do everything, everywhere, all at once.  
BRITTANY BARRIENTOS, Partner, Stinson  
JANET SCHEIER, Trinity Consultants
- 10:25 a.m.** **Break**
- 10:30 a.m.** **Environmental Case law and Impact on EHS Directors and Facilities**  
What do *Chevron* and Major Questions Doctrine litigation and other important new case law mean for State and Federal regulators and more importantly your operations.  
J. MICHAEL SHOWALTER, Partner, ArentFox Schiff
- 10:55 a.m.** **WOTUS**  
The Sacketts emerged victorious again in the highest court in the land. The significant nexus test has met its end. Non-adjacent wetlands and ephemeral streams are now outside Federal jurisdiction. But how does this seminal ruling apply in the states where a patchwork of laws and regulations are in place? Do states need a new dredge and fill program? It's clear that the Court strongly emphasized the primary role of states in protection of these resources. Will the new WOTUS regulation be challenged in court (again)?  
ED GALBRAITH, Barr Engineering  
AIMEE DAVENPORT, Partner, Stinson
- 11:35 a.m.** **Compliance and Enforcement Focus 2024**  
An inside look from two OECA directors at the new National Enforcement and Compliance Initiatives (NECI) and what it means at the regional and state level for regulated facilities. While environmental Justice and

climate remain the keystone efforts, there are new or modified initiatives for PFAS, Coal Ash, and Air Toxic according to a recent memo from David Uhlmann, Assistant Administrator, Office of Enforcement and Compliance Assurance.  
DAVID COZAD, Director, OECA, EPA Region 7  
MICHAEL HARRIS, Director, OECA, EPA Region 5

**12:15 a.m. Conclusion and Q&A**  
ROGER WALKER, Executive Director, REGFORM  
KELLY THOMPSON, Executive Director, IERG  
**12:20 p.m. End of Seminar**

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