



# 2021 National Clean Water Law & Enforcement Hybrid Event

November 17 – 19, 2021 | Charleston, SC/ Virtual

Current as of October 26, 2021

## Wednesday, November 17, 2021

**8:00 – 11:45** Registration

*Registration Desk*

### **9:00 – 12:00** Plenary Session I

*Colonial* Welcoming Remarks

*Ballroom*

Opening Remarks

**Kishia Powell**, *NACWA President*

Chief Operating Officer and Executive Vice President

DC Water | Washington, DC

### **2021 Seminar Overview**

**Hilary Meltzer**, *Co-Chair, NACWA Legal Affairs Committee*

Chief, Environment Law Division

New York City Law Department | New York, NY

### **Clean Water Law Primer**

This session will provide the legal and regulatory background information necessary for Seminar attendees to fully participate in the panel discussions over the next three days. Need a quick refresher on Integrated Planning? Want to get up to speed on the basics of pretreatment? Just miss the thrill of learning after having to wing it as a stand-in teacher for your kids throughout the pandemic? This Primer is for you!

**Erika Powers**, Partner

Barnes & Thornburg LLP | Chicago, IL

*Roundtable Discussion*

### **It's Raining Permits! Latest Developments in Stormwater Permitting and Regulations**

From EPA flexing its residual designation muscles to the ongoing implementation of the Phase II permitting program, a lot is happening in the world of stormwater management. Hear a panel of experts discuss recent legal and regulatory initiatives and permitting challenges impacting clean water utilities and ways you can address them. Speakers will also address legal developments of note for municipal stormwater utilities.

**Gerald Linder**, General Counsel

Clean Water Services | Hillsboro, OR

**Sean Rolland**, Deputy Director  
Association of Clean Water Administrators | Washington, DC

**Shawn Hagerty**, Partner  
Best Best & Krieger LLP | San Diego, CA

**12:15 – 2:00 Lunch on Your Own**

**1:45 – 4:30** Registration  
*Registration Desk*

**2:00 – 5:00 Plenary Session II**  
*Colonial Roundtable Discussion*  
**Utilities or Ironman Champions? Updates on the Latest Clean Water Resiliency and Sustainability Initiatives**

*Ballroom*

Utility leaders continue to lead the way not just on clean water protection, but also creative thinking. This session will explore municipal sustainability and resiliency efforts in the face of increasing challenges such as climate change, extreme weather events, and supply chain disruptions. Of particular focus will be how current laws and regulations, and the potential of additional legal requirements in the future, could impact clean water utilities.

**Anthony Cotter**, General Counsel  
Toho Water Authority | Kissimmee, FL

**Robert Griffin**, President and Chief Executive Officer  
Shield Engineering | Charlotte, NC

*Panel Discussion*

**Top CWA Enforcement and Permitting Developments of the Year** (*Closed to Press and Regulators*)

This roundtable discussion among a group of legal and utility experts will evaluate the latest trends in permitting and enforcement activities, including consent decrees and the environmental enforcement priorities of the new administration.

Panelists

**Kerry McGrath**, Partner  
Hunton Andrews Kurth, LLP | Washington, DC

**Paul Calamita**, Chairman  
AquaLaw PLC | Richmond, VA

**Phillip Goodwin**, Regulatory Compliance Director  
Houston Public Works | Houston, TX

**Debra Baker**, Managing Partner  
Baker Wotring LLP | Houston, TX

**Closing Remarks**

**6:00 – 7:00 Reception**  
*Gold Ballroom,  
2<sup>nd</sup> floor*

## Thursday, November 18, 2021

**8:30 – 12:00** Registration

Registration Desk

**9:00 – 12:00** **Plenary Session III** (*Included in Virtual Event Registration*)

Colonial Opening Remarks

Ballroom

*Keynote Speaker*

### **Current EPA Clean Water Priorities**

The Keynote Address of the conference will look at EPA's current clean water priorities and what the legal and regulatory impacts of those initiatives could be on clean water utilities.

**Andrew Sawyers**, Director, Office of Wastewater Management  
US Environmental Protection Agency | Washington, DC

*Roundtable Discussion*

### **PFAS: What Could be Coming Down the Federal Pike and What Can Utilities Be Doing to Prepare?**

PFAS is on the minds of utilities nationwide. While states continue down their own paths to address these "forever chemicals," three big looming questions are – what is the Federal government going to do about PFAS, when, and what will it mean for my utility? This panel will explore the various statutory authorities the Federal government might employ to regulate PFAS chemicals and the potential legal and regulatory impacts those initiatives could have on the clean water community.

Panelist

**Alexandra Dapolito Dunn**, Partner  
Baker Botts LLP | Washington, DC

**Jeffrey Longsworth**, Partner  
Barnes & Thornburg LLP | Washington, DC

*Roundtable Discussion*

### **PFAS Pugilism: Recent PFAS Battles Waged in the Courts**

Whether it's PFAS manufacturers taking state science to court or municipalities trying to recoup treatment costs from upstream dischargers, the PFAS litigation wheel continues to turn. On this panel, a group of legal experts will discuss the latest suits relevant to clean water utilities over how to address PFAS chemicals and who should pay.

Panelists

**Amanda Waters**, Attorney  
AquaLaw PLC | Richmond, VA

**Erica Spitzig**, Partner  
Taft Stettinus & Hollister, LLP | Cincinnati, OH

**12:15 – 1:45** Luncheon  
Gold Ballroom, Opening Remarks  
2<sup>nd</sup> Floor

### **The Unique History of the Charleston Water System's Sewer Treatment and Collection Facilities**

Charleston has a long, important role in American history. But what may not be as well known in the history books is the amazing background of its water and wastewater system and how it has helped to support the city's growth over the decades into the vibrant community it is today. Join us for this fascinating presentation from Charleston Water System to learn more about our amazing host city.

**Kin Hill**, Chief Executive Officer  
Charleston Water System | Charleston, SC

**1:45 – 4:30** Registration  
Registration Desk

**2:00 – 5:00** **Plenary Session IV (Included in Virtual Event Registration)**

Colonial  
Ballroom

*Roundtable Discussion*

### **When Worlds Collide – How to Address Potentially Conflicting Environmental Laws and Regulations**

Clean water, clean air, clean soils. Seems so simple, right? Utilities are all striving to foster safe, healthy, resilient communities, but what do you do when meeting an exacting water quality standard means impacting your air emissions or land disposal practices? Or vice versa? In this session, experts will discuss ways clean water utilities can try to address situations where attempts to meet environmental goals – including addressing climate change and resiliency, Superfund cleanups, PFAS contamination, and stringent temperature criteria – may themselves lead to other environmental challenges and conflicts between existing laws and regulations.

Panelists

**Devon Goodrich**, Senior Counsel  
New York City Department of Law | New York, NY

**Emily Jackson**, *Co-Chair, NACWA Legal Affairs Committee*

**Karen Bennett**, Partner/Co-Chair,  
Environmental and Administrative Law Practice  
Lewis, Brisbois, Bisgaard & Smith LLP | Washington, DC

*Panel Discussion*

### **Top Legal Developments of the Year for Utilities** *(Closed to Press and Regulators)*

Clean water attorneys must understand the potential impacts court decisions from around the country could have on the operations and legal obligations of their clients. But which court decisions really matter, and what do they mean for your utility? No need to separate the wheat from the chaff yourself – our panel of top clean water lawyers will review the most important court decisions and legal developments of the past year and provide you with critical insights on how utilities could be affected.

Panelists

**Jordan Wimpy**, Attorney  
Mitchell Williams | Little Rock, AR

**Andrew Silton**, Principal  
Beveridge & Diamond, PC | Washington, DC

**Hilary Meltzer**, *Co-Chair, NACWA Legal Affairs Committee*

**David Chung**, Partner  
Crowell & Moring LLP | Washington, DC

**Closing Remarks**

**6:00 – 7:00 Reception**

*Carolina  
Ballroom A*

**Friday, November 19, 2021**

**8:00 – 10:30 Registration**

*Registration Desk*

**9:00 – 12:00 Plenary Session V**

*Colonial  
Ballroom*  
Opening Remarks

*Ethics Session*

**Diversity, Equity & Inclusion**

As the legal profession continues its overdue efforts to address and remedy individual and institutional barriers to justice, training in diversity, equity and inclusion (DE&I) has taken on increased importance. This session will look at key principles of DE&I within the legal context, particular how legal practitioners can consistently strive to eliminate bias in their work. This conversation is particularly important given the increased focused on environmental justice around environmental laws and regulations.

**Professor Debra Gammons**, Director, Office of Diversity Initiatives  
Distinguished Visiting Professor of Law  
Charleston School of Law | Charleston, SC

*Roundtable Discussion*

**Navigating the Muddy Waters of Recovery and the “New Normal”: Legal Tools Utilities Can Use to Meet the Dual Challenges of Ever-Increasing Costs and Resource Constraints**

If the “new normal” for clean water utilities had to be summed up in one phrase, a major contender would be “do more with less.” Increasing regulatory and permitting obligations, COVID-related resource constraints, and economic drivers are all having major impacts on the municipal community. This panel will explore some of the most pressing challenges facing utilities’ bottom lines and the legal and regulatory tools at your disposal to help ameliorate the impacts they have on your operations.

Panelists

**Ted Henifin**, General Manager  
Hampton Roads Sanitation District | Virginia Beach, VA

**Richard Davis**, Principal  
Beveridge & Diamond, PC | Washington, DC

**Nathan Vassar**, Principal  
Lloyd Gosselink Rochelle & Townsend PC | Austin, TX

**Closing Remarks**