



15th Section Fall Meeting

**The premier conference
on environment, energy
and resources law**

September 26–29, 2007 • Pittsburgh, PA

Learn More About:

- **The Basic Practice Series – An Introduction to the Practice of Environmental Law**
September 28–29, 2007
- **“Day of Service” – Section Public Service Project**
- **Opportunities for Law Students**

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ABA Section of Environment, Energy, and Resources

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A New Look at Pittsburgh!

Pittsburgh is rapidly undergoing a renaissance, transforming into one of the nation's leaders in environmental and "green" initiatives. The Section chose Pittsburgh as the site of the 15th Section Fall Meeting for the unique offerings of the area as well as its affordability and accessibility for our meeting attendees. The meeting offers a blend of returning and new features: a "Day of Service" working with local school children; The Basic Practice Series; tracks of cutting-edge educational programs; and a host of networking opportunities at local venues including The Warhol Museum and the Carnegie Science Center. Mark your calendar and join us at the 15th Section Fall Meeting.

Law Student Volunteer Opportunities

There are several ways that law students can work as volunteers at the Section Fall Meeting. In exchange, the Section offers opportunities for students to participate free of charge in education programs taking place at the meeting. To inquire, please contact Brooke Loucks, Assistant Director at (312) 988-5791.

Annual Section Sponsors



Honor Roll of Program Sponsors

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Local Flair Reception

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Public Service Luncheon

- Civil & Environmental Consultants, Inc.

Dessert Reception

- Alston & Bird LLP

Networking Break

- History Associates Inc.
- MACTEC

Schedule-at-a-Glance

Wednesday, September 26, 2007

8:00 a.m. – 1:00 p.m.	“Day of Service” Public Service Off-site Event
2:00 p.m. – 5:00 p.m.	Section Council Meeting
6:30 p.m. – 8:00 p.m.	Welcome Reception

Thursday, September 27, 2007

7:00 a.m. – 7:45 a.m.	Joint Service Group Meetings: Education, Membership and Publications
7:00 a.m. – 8:00 a.m.	Ticketed Transboundary Program
7:00 a.m. – 8:00 a.m.	Ticketed Enforcement Program
7:00 a.m. – 8:15 a.m.	Continental Breakfast
8:00 a.m. – 10:00 a.m.	Keynote and Opening Session
10:00 a.m. – 10:30 a.m.	Networking Break
10:30 a.m. – 12:00 p.m.	Concurrent CLE Sessions
12:00 p.m. – 1:30 p.m.	Technical Roundtables
1:30 p.m. – 2:00 p.m.	Networking Break
2:00 p.m. – 3:30 p.m.	Concurrent CLE Sessions
3:30 p.m. – 4:00 p.m.	Networking Break
4:00 p.m. – 5:30 p.m.	Concurrent CLE Sessions
5:30 p.m. – 6:30 p.m.	Vice Chair Orientation
5:30 p.m. – 6:30 p.m.	State and Regional Idea Exchange
6:30 p.m. – 9:30 p.m.	Warhol Museum Event

Friday, September 28, 2007

7:00 a.m. – 8:30 a.m.	Continental Breakfast
7:30 a.m. – 8:30 a.m.	Ticketed Nanotechnology Program
7:30 a.m. – 8:30 a.m.	Committee Vice Chair Meetings (Membership, Programs, Public Service, Technology, <i>The Year in Review</i> , Committee Newsletter)
8:00 a.m. – 12:00 p.m.	<i>Trends</i> Board Meeting
8:00 a.m. – 5:00 p.m.	NR&E Board Meeting
8:30 a.m. – 10:00 a.m.	Plenary Session
10:00 a.m. – 10:30 a.m.	Networking Break
10:30 a.m. – 12:00 p.m.	Concurrent CLE Sessions
12:00 p.m. – 1:30 p.m.	Committee Get-Together Luncheon
1:30 p.m. – 3:00 p.m.	Concurrent CLE Sessions
1:30 p.m. – 5:45 p.m.	**The Basic Practice Series
3:00 p.m. – 3:30 p.m.	Networking Break
3:30 p.m. – 5:30 p.m.	Plenary Session: Ethics
5:30 p.m. – 6:30 p.m.	Committee Chairs Meeting
6:00 p.m. – 8:00 p.m.	Local Flair Reception: Carnegie Science Center
8:00 p.m.	Optional Event: Dining Together
9:30 p.m. – 11:00 p.m.	Dessert Reception Sponsored by Alston & Bird LLP

Saturday, September 29, 2007

7:30 a.m. – 9:00 a.m.	Continental Breakfast
8:00 a.m. – 10:00 a.m.	Practice Development Program Part 1
8:00 a.m. – 1:00 p.m.	NR&E Board Meeting
8:00 a.m. – 3:00 p.m.	**The Basic Practice Series
8:00 a.m. – 3:00 p.m.	Book Publications Committee Meeting
10:00 a.m. – 12:00 p.m.	Practice Development Program Part 2
1:30 p.m. – 5:00 p.m.	Section Council Meeting
6:00 p.m. – 7:00 p.m.	Farewell Reception

**The Basic Practice Series is not included in the registration for the Section Fall Meeting. Please see details on registration for The Basic Practice Series on page 9.

CLE Program Descriptions

Wednesday, September 26, 2007

8:00 a.m. – 1:00 p.m.

“Day of Service”— Section Public Service Project (off-site/non-CLE)

The Public Service Task Force and Section member volunteers will team up with Earth Force (a nonprofit organization dedicated to engaging youth as active environmental stewards) and 140 Pittsburgh school children to identify, problem solve and develop action plans for environmental issues facing the school community. Following panel discussions of environmental issues and laws, Section members will lead smaller breakout groups of students in hands-on activities and presentations. This service project will take place on Wednesday September 26, 2007 from 8:00 a.m.–1:00 p.m. Lunch will be provided. If you would like to volunteer to participate in the project or have further questions, please contact Scott Sachs at ssachs@aalrr.com or (562) 653-3200.

Thursday, September 27, 2007

7:00 a.m. – 8:00 a.m.

Canada-U.S. Cooperation on Transboundary Environmental Risks (*Ticketed Event)

Canada and the U.S. will continue to play major roles in establishing international law governing transboundary liability for biotech crops. This session will focus on U.S. and Canadian decisions concerning environmental impacts of biotech crops and pending negotiations over the Biosafety Protocol, including efforts to define “harm” to biodiversity from genetically modified crops. Speakers from both sides of the border will address this timely issue, where Biosafety Protocol Parties are working in “Technical Expert Group” meetings throughout 2007.

Moderator:

Stanley H. Abramson, *Arent Fox LLP, Washington, DC*

Speakers:

Stan Benda, *Senior Counsel, Department of Justice (Canada), Regulatory Section, Ontario Regional Office, Toronto, ON*

Nancy S. Bryson, *Venable LLP, Washington, DC*

7:00 a.m. – 8:00 a.m.

Breakfast with the Enforcer (*Ticketed Event)

Granta Y. Nakayama, Assistant Administrator, Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, will wake us up with a discussion of current topics in environmental enforcement.

8:00 a.m. – 10:00 a.m.

Meeting Our Energy Challenges Head On— A Complex Mosaic of Solutions

Keynote Address and Plenary Session

Secretary Kathleen McGinty’s Keynote Address will focus on the critical nexus between energy and environmental issues. Pennsylvania is widely recognized as a microcosm of the nation, and Secretary McGinty’s Keynote Address will set the stage for a forward-looking, thought-provoking conference. Her Address will be followed by a panel of distinguished speakers who will elaborate on how they are addressing future energy challenges utilizing a mix of conventional and alternative energy solutions.

Secretary Kathleen A. McGinty, *Pennsylvania Department of Environmental Protection, Harrisburg, PA*

Moderator:

Sheila Slocum Hollis, *Duane Morris LLP, Washington, DC*

Speakers:

Vincent P. Duane, *General Counsel, PJM Interconnection, LLC, Valley Forge, PA*

Peter C. Fusaro, *Chairman, Global Change Associates and Co-principal, Energy Hedge Fund Center LLC, New York, NY*

Elizabeth Anne “Betsy” Moler, *Executive Vice President, Government and Environmental Affairs and Public Policy, Exelon Corporation, Washington, DC*

Law Student Volunteers

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10:30 a.m. – 12:00 p.m.

Evolving Issues in Eastern Water Law

Water law issues in the east are evolving rapidly, on the state, national and international level. This “evolving issues” panel will examine key issues including (1) disputes on how to harmonize disparate common law doctrines and statutory schemes governing surface and ground water use; (2) when and how the public trust doctrine applies to water withdrawal management and use; (3) attempts by some states and regions to bar out of basin diversions through compact enactments, and how such efforts fit with traditional commerce clause analysis, international trade agreements, and national public policy; and (4) the opportunities, impediments, economics and legal issues associated with desalinization and water reuse/reclamation technologies.

Moderator:

Jeremy N. Jungreis, *Of Counsel, Nossaman, Guther, Knox and Elliott, Irvine, CA*

Speakers:

Robin Kundis Craig, *J.D., Ph.D., M.A., Attorneys’ Title Insurance Fund Professor of Law, Florida State University College of Law, Tallahassee, FL*

Edward P. de la Parte, Jr., *de la Parte and Gilbert, P.A., Tampa FL*

Mary C. Erickson, *Great Lakes Attorney and Advocate, National Wildlife Federation, Ann Arbor, MI*

R. Timothy Weston, *K&L Gates LLP, Harrisburg, PA*

10:30 a.m. – 12:00 p.m.

Think Globally, Act Locally: The Proliferation of State and Local Toxics Regulations

The proliferation of state and local laws and ordinances intended to regulate chemical substances reflects a growing trend that takes the “Think Globally, Act Locally” adage to new heights. Initiatives addressing chemical materials increased sharply in 2006, from the Berkeley, California ordinance addressing nanomaterials, to state measures intended to limit more conventional substances. Faced with a growing number of innovative commercial restrictions (such as Wal Mart’s Preferred Chemical Principles) intended to stimulate product reformulation and/or product substitution, chemical product manufacturers are challenged to market prudently and effectively their chemical products. This session will explore these emerging business practices and standards, their origin, proliferation, and impacts, and discuss the role that federal laws and standards may play in preempting, limiting, or otherwise affecting these business practices.

Moderator:

Lynn L. Bergeson, *Managing Director, Bergeson & Campbell, P.C., Washington, DC*

Speakers:

Sarah H. Brozna, *Senior Director, Regulatory and Technical Affairs, American Chemistry Council, Arlington, VA*

Daryl Ditz, *Senior Policy Advisor (Chemicals Program), Center for International Environmental Law, Washington, DC*

Kyle L. Holifield, *Director, Product Compliance & Safety, Wal-Mart Stores, Inc., Bentonville, AR*

10:30 a.m. – 12:00 p.m.

It’s Getting Hot in Here: Global Warming and the Courts

Over a dozen cases filed by individuals, environmental groups, and government entities based on a variety of global warming related legal theories are currently pending against a variety of industries, states and federal government agencies. This session will examine the current wave of



Three photos courtesy of VisitPittsburgh

global warming lawsuits and their common legal and policy issues, focusing on the judiciary’s proper role in the global warming debate. The panel will bring together diverse views from practitioners and advocacy groups, industry, and policy-makers to consider whether the current litigation in state and federal courts is the proper way to address broad social and political issues like global warming.

Moderator:

James R. May, *Professor of Law, Widener Law School, Wilmington, DE*

Speakers:

Kathleen M. Hennessey, *Senior Environmental Counsel, Daimler-Chrysler Company, Auburn Hills, MI*

F. Gerald Maples, *Attorney, New Orleans, LA*

10:30 a.m. – 12:00 p.m.

Reviving the Nuclear Power Option: How I Learned to Stop Worrying and Love the Atom

The nuclear power option is seriously being reexamined as an important technology option for addressing energy security and independence, climate change, and improving the balance of trade and economic security. New nuclear plant technology and availability of fuel does not address public concerns about waste storage, nuclear fuel reprocessing, accidents, fuel processing, and financing. This session will attempt to de-mystify the “nuclear renaissance,” and highlight practice opportunities in all facets of its revival.

Moderator:

Marilyn Kray, *Exelon Generation, Kennett Square, PA*

Speakers:

Agnes P. Dover, *Hogan & Hartson, LLP, Washington, DC*

Frank Macciarola, *Senate Minority Director, Energy and Natural Resources Committee, Washington, DC*

Richard J. Pierce, Jr., *Lyle T. Alverson Professor of Law, George Washington University School of Law, Washington, DC*

12:00 p.m. – 12:30 p.m.

Luncheon

12:30 p.m. – 1:30 p.m.

Technical Roundtables

The Technical Roundtables will provide a casual setting for participants to benefit from one-on-one interaction with sponsoring firms. Each will discuss a specific technical education area. Please plan to join us for this unique opportunity.

The Bureau of National Affairs (BNA) Climate Change: New Tools for Legal Researchers Finding Information at International, National, and State Levels

The rapidly evolving law of climate change requires monitoring of various states or provinces, nations and international law. BNA has new research tools to assist attorneys in keeping abreast of the law of climate change, which it will profile in this session. These tools apply in other settings too, making this session a must-see for practicing attorneys.

Exponent

Assessing Environmental Liabilities of International Legacy Operations

The growing number of allegations of environmental damage and health effects associated with decades old industry operations in developing countries are specific as to country, habitat, industry, and chemicals. They may arise as part of ecological and property damage claims, class action toxic tort claims, and expropriation-based environmental counterclaims. However, in assessing damages from these legacy operations, scientific investigations in support of legal strategy have many common elements. Assessments must take into account changes in historical operations and regulations over time yet apply current,

CLE Program Descriptions

acceptable methodologies to the assessment process. This roundtable will discuss some of these common elements and challenges as they may be applied to a varied set of issues.

Zurich

Environmental Insurance Claims Experience: What's Old, What's New, What's Coming

The insurance industry is unique in its ability to observe actual and emerging liability trends. The environmental liability data available to the industry is generally incomplete, but evaluation of experience can suggest useful observations. Zurich presents its experience together with publicly available industry information regarding loss experience. For nearly three decades (a relatively new market) environmental insurance has been offered. It continues to evolve rapidly from limited "gap" coverage following introduction of the pollution exclusion in the 1970s to specialty coverages addressing legal liabilities of owners and operators of industrial facilities, including lenders, creditors and other potentially liable parties. The presentation will provide a high level summary level of environmental insurance experience.

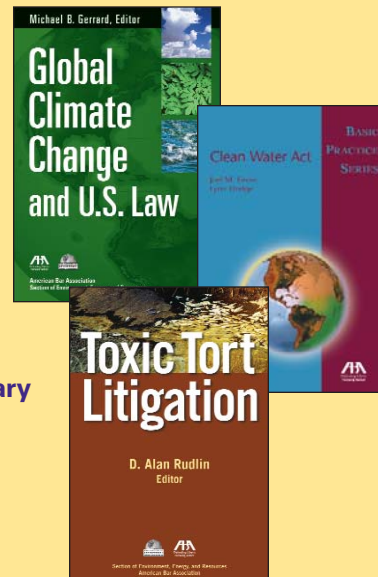
2:00 p.m. – 3:30 p.m.

Private Rights, Public Resources

With legislation ranging from the reauthorization of the *Magnuson-Stevens Fisheries Conservation and Management Act* to new law on challenges to national monument creation under the *Antiquities Act*, congress and courts are faced with a host of choices and challenges in this area. This panel will review recent developments balancing resource conservation with private rights in a variety of contexts. Panelists will discuss the many challenges presented, from a legislative and policy perspective, ranging from over-fishing concerns to oil and gas development, from protection of marine endangered species to ecotourism, and from protection of fisheries and national monuments to the need for new energy sources.

Meeting Discount on Section Books

Attendees of the 15th Section Fall Meeting and the Basic Practice Series will be able to purchase Section books at a special meeting discount. Plan to take advantage of this opportunity to update your library with valuable resources—new titles and best sellers. For information regarding Section books, visit <http://www.abanet.org/environ/>.



Moderator:

Robin Kundis Craig, J.D., Ph.D., M.A., Attorneys' Title Insurance Fund Professor of Law, Florida State University College of Law, Tallahassee, FL

Speakers:

David Allison, Campaign Director, Oceana, Inc., Washington, DC

Elena C. Daly, Director, National Landscape Conservation System, Bureau of Land Management, Washington, DC

William G. Myers III, Holland & Hart LLP, Boise, ID

2:00 p.m. – 3:30 p.m.

Contaminated Sediments: Challenges from Megasites to Brownfield Redevelopment

Environmental attorneys and developers throughout the U.S. increasingly confront challenges posed by sediment contamination from smaller brownfields properties to billion dollar U.S. EPA mega-sites. This panel will use a role play to explore a range of emerging issues associated with sediment contamination with an emphasis on brownfields sites. Issues include strategies for negotiating sediment issues with the government, the state of the science, available and emerging remedial alternatives, conflicting guidance documents, natural resource damages, how to make decisions in light of the immature state

of the science of eco-risk and human health risk for sediments, and how to manage the potentially massive costs associated with sediment problems.

Moderator:

J. Andrew Schlickman, Sidley Austin LLP, Chicago, IL

Speakers:

Jane Haley-Harris, Executive Director, Oregon Center for Environmental Health, Portland, OR

George Hicks, Shaw Environmental, Inc., Chicago, IL

John Lyons, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 9, San Francisco, CA

2:00 p.m. – 3:30 p.m.

Everything You Wanted to Know About Practicing Before EPA's Administrative Law Judges But Were Afraid to Ask

The session provides an inside view of the practice before EPA's Office of Administrative Law Judges and of the Environmental Appeals Board. Panelists will highlight key process and procedures used by the Office of Administrative Law judges and Environmental Appeals Board. The panel will also provide insights into how to become a more effective advocate before these tribunals by identifying top practice tips and pratfalls.

Moderator:

James McDonald, *Director, Management Operations, Office of the Administrative Law Judges, U.S. Environmental Protection Agency, Washington, DC*

Speakers:

Hon. Susan L. Biro, *Chief Administrative Law Judge, U.S. Environmental Protection Agency, Washington, DC*

Hon. Scott Fulton, *Environmental Appeals Board Judge, U.S. Environmental Protection Agency, Washington, DC*

Mark Ryan, *Senior Environmental Enforcement Attorney, U.S. Environmental Protection Agency, Region 8, Seattle, WA*

4:00 p.m. – 5:30 p.m.

Nanotech Risk Management

Nanotechnology is a new science in which conventional materials are engineered down to one-billionth of a meter to give them new advantageous properties. Nanotech has given birth to a multibillion dollar industry, with nanotech applications being incorporated into a diverse range of products such as cosmetics, sunscreens, pesticides, semiconductors, paints, and “smart” fabrics. Some observers, however, fear that as-yet unidentified risks associated with nanoscale materials may expose nanotech companies to product liability litigation. In this panel presentation, risk management experts from industry, private law firms and government will share thoughts on emerging best practices for addressing product liability risks and evaluating the applicability of SEC disclosure obligations to the discovery of risks posed by nanotechnology products.

Moderator:

Peter L. Gray, *McKenna Long & Aldridge LLP, Washington, DC*

Speakers:

Patricia K. Casano, *Counsel, Environmental Legislative and Regulatory Affairs, General Electric Company, Washington, DC*

Scott D. Deatherage, *Thompson & Knight LLP, Dallas, TX*

Mary Ellen Ternes, *McAfee & Taft, P.C., Oklahoma City, OK*



4:00 p.m. – 5:30 p.m.

Resolution of Intermunicipal Disputes in the Implementation of Sanitary Sewer Overflow Abatement Projects

The resolution of environmental disputes among governmental entities are often made more complex by socioeconomic, political and organization factors. As a paradigm, this panel will focus on the challenges of a court-ordered sanitary sewer overflow abatement program in metropolitan Pittsburgh which requires action by the City of Pittsburgh, 82 suburban municipalities and the Allegheny County Sanitary Authority. Panelists will discuss the legal and historical background of the federal consent decree; the nature and extent of intermunicipal collaboration to date; and potentially applicable dispute resolution approaches that can be employed to foster collaboration, reduce conflict, and efficiently resolve disputes.

Moderator:

John W. Ubinger, Jr., *Jones Day, Pittsburgh, PA*

Speakers:

John G. Bickerman, *Bickerman Dispute Resolution, PLLC, Washington, DC*

Kevin J. Garber, *Babst, Calland, Clements and Zomnir, P.C., Pittsburgh, PA*

Timothy J. Rogers, *Township Manager, Town of Shaler, Glenshaw, PA*

John W. Schombert, *Executive Director, 3 Rivers Wet Weather Project, Pittsburgh, PA*

4:00 p.m. – 5:30 p.m.

Regulatory and Market Mechanisms to Reduce Greenhouse Gas Emissions

There are a number of emerging regimes in the U.S. for regulating greenhouse gases, including the California program, the Regional Greenhouse Gas Initiative of the Northeastern states, and Kyoto. The panel will provide an overview of the emerging regimes and discuss the

California Global Warming Solutions Act of 2005, the California Climate Action Registry, and cap and trade experience with the Regional Clean Air Incentives Market established by the South Coast Air Quality Management District. The panel will then, as an example, focus on how regulatory incentives and market mechanisms have influenced the structure of the Dine Wind Power Project on the Navajo Reservation.

Moderator:

Laura H. Kosloff, *Senior Counsel, EcoSecurities Consulting Limited, Portland, OR*

Speakers:

Professor Steven Ferrey, *Suffolk University Law School, Boston, MA*

Peter Hsiao, *Morrison & Foerster, LLP, Los Angeles, CA*

Douglas C. MacCourt, *Ater Wynne LLP, Portland, OR*

5:30 p.m. – 6:30 p.m.

State and Regional Idea Exchange (non-CLE)

The Section's Committee on State and Regional Environmental Cooperation provides a forum for the sharing of ideas among EPA Regions, state environmental agencies and the environmental sections of state bar associations across the country. The Committee sponsors the Idea Exchange at each Section Fall Meeting to serve as a forum to share ideas with leaders of these groups. Past discussions have included topics and concepts for regional CLE programs, public service ideas, publications and other valuable information. If you are involved in the leadership of a state bar association or work for an EPA Region or state environmental agency, this Idea Exchange is a place for you to get more involved with the ABA SEER. You may participate in this dialogue either in person at the Section Fall Meeting or via teleconference. To sign up for teleconference participation, please contact the Section office at (312) 988-5724.

CLE Program Descriptions

Friday,
September 28, 2007

7:30 a.m. – 8:30 a.m.

Business Issues and Nano: Something to Chew Over (*Ticketed Event)

The business community has been challenged to develop new and innovative ways to address safe introduction of nanotechnology into a wide array of products. Working collaboratively with EPA, NIOSH, and other federal and state agencies, industry groups are seeking to communicate more openly and effectively on how they are identifying and managing potential risks that may be associated with engineered nanoscale substances. This discussion will focus on what several key companies are doing in product stewardship, how they are pursuing responsible development of nanotechnology, what they are doing differently to address the challenges posed by this emerging technology, and what institutional challenges they confront in the months and years ahead.

Moderator:

Lynn L. Bergeson, *Managing Director, Bergeson & Campbell, P.C., Washington, DC*

Speakers:

Mark N. Duvall, *Managing Counsel, The Dow Chemical Company, Midland, MI*

Kimberly R. Kipin-McDonald, *Product Safety & Regulatory Affairs, Bayer MaterialScience LLC, Pittsburgh, PA*

Paul D. Ziegler, *Chair, Nanotechnology Panel, American Chemistry Council, Arlington, VA*

8:30 a.m. – 10:00 a.m.

Plenary Session: Environmental Law in the Supreme Court— How Well Does the Court Handle Complex Issues of Regulatory Authority?

Under the U.S. constitution, the Supreme Court is charged with providing the “final answer” when difficult questions arise regarding the

scope of regulatory authority over, *inter alia*, land use, endangered species and clean water. A brief review of recent cases, as well as certain new cases granted *certiorari* this year, suggests that the Court finds it difficult to reach definitive answers in these complex areas of law. Using examples from recently decided environmental law cases and the *Lucas* line of takings cases, panelists will investigate the role the Supreme Court has played in resolving environmental and property rights questions, what may be inherent limitations in the Court’s ability to resolve such questions, and other routes to relief—including state statutory and constitutional initiatives—that putative litigants have sought in order to further particular positions.

Moderator:

Theodore L. Garrett, *Covington & Burling LLP, Washington, DC*

Speakers:

David Doniger, *Policy Director, Climate Center, Natural Resources Defense Counsel, Washington, DC*

Holly D. Doremus, *Professor of Law, U.C. Davis School of Law, Davis, CA*

Robert Percival, *Professor of Law, University of Maryland School of Law, Baltimore, MD*

10:30 a.m. – 12:00 p.m.

Biofuels and Biotechnology— Exploring Regulatory and Liability Barriers to Sustainable Renewable Energy Sources

Biotech crops that can be used as renewable fuel sources, such as corn or switch grass that can be used to feed ethanol plants, face regulatory and liability barriers to their development and successful commercialization. Panelists will discuss the U.S. and international regulatory approval process, regulatory risks facing biotech crops, and the potential third party liability issues, such as the threat of class action litigation seeking compensation for lost markets following biotech commingling incidents. The panel will discuss how product stewardship and advance planning can help overcome the liability and regulatory barriers-to-entry faced by biotech-enhanced crops.

Moderator:

Edna R. Sussman, *Hoguet Newman Regal & Kenney, LLP, New York, NY*

Speakers:

A. Bryan Endres, *Assistant Professor, Department of Agricultural and Consumer Economics, University of Illinois, Urbana-Champaign, Urbana, IL*

DaNita Murray, *Director of Public Policy, National Corn Growers Association, Washington, DC*

Martha Noble, *Sustainable Agriculture Coalition, Washington, DC*

10:30 a.m. – 12:00 p.m.

Environmental Liability Transfer Brownfields Program

A relatively new technique to address sellers’ concerns about selling contaminated property is to structure the deal as an environmental liability transfer. Environmental liability transfer firms are frequently ready and willing to accept complete responsibility for the environmental issues on a site. But you need to read the contract’s fine print. Environmental insurance also typically plays an important role in these deals. This session will discuss the typical components of an environmental liability transfer deal; what to look out for in the contract; the relationship between end use and the remediation end point; the potential role of institutional controls; and what types of insurance are potentially available to help seal the deal.

Moderator:

Amy L. Edwards, *Holland & Knight LLP, Washington, DC*

Speakers:

Jon Brooks, *Phillips Nizer LLP, Garden City, NY*

Jill A. Gaito, *Deputy Secretary, Community Revitalization and Local Government Support, Pennsylvania Department of the Environment, Harrisburg, PA (formerly with Gannett Fleming and TerraSure)*

Michael McCartney, *Vice President and General Counsel, Commercial Development Co., Inc., St. Louis, MO*

Richard Sheldon, *Willis North America, Radnor, PA*

10:30 a.m. – 12:00 p.m.

Homeland Security and Critical Infrastructure Protection: the Chemical Sector and Beyond

A panel of recognized experts and leaders representing government and industry will discuss homeland security and critical infrastructure. The panel will place particular focus on the nexus of homeland security with chemical sector infrastructure, hazardous materials, and the environment. This session will also address the recently promulgated Chemical Facility Anti-Terrorism Standards (CFATS), liability protection, the SAFETY Act, protection of critical infrastructure, and vulnerability information and security efforts by DHS, EPA, and the private sector regarding chemical facilities and chemical transportation.

Moderator:

Ava Harter, *The Dow Chemical Company, Midland, MI*

Speakers:

Gus P. Coldebella, *Acting General Counsel, U.S. Department of Homeland Security, Washington, DC*

George A. Koenig, *Alston & Bird LLP, Washington, DC*

10:30 a.m. – 12:00 p.m.

Hot Issues in Air: A Permitting Case Study

Permitting of ethanol plants can raise a myriad of current hot issues under the Clean Air Act. Using role playing, a range of topics will be discussed in the context of a permitting case study, a proposed modification to a coal fired, fuel-grade ethanol plant subject to NSR, NSPS, NESHAP and Title V. The permit also raises SO2, residual risk, co-location and PM/VOC fugitive issues. The discussion will touch upon NSR issues from *Duke Power*, permitting issues from NYPIRG, as well as CO2, climate change and coal fuel issues from the early 2007 TXU permit debates in Texas, NAAQS, "once in always in," and Section 112 residual risk. Peripheral issues, including the use of non-cellulosic corn, water rights, CO2 imbalances in producing/using ethanol as fuel, coal-fired boiler pollution control and carbon sequestration will also be discussed.



Moderator:

David M. Friedland, *Beveridge & Diamond, P.C., Washington, DC*

Speakers:

Lynn Hutchinson, *Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Washington, DC*

Adan Schwartz, *Bay Area Air Quality Management, San Francisco, CA*

Patrice L. Simms, *Natural Resources Defense Council, Washington, DC*

1:30 p.m. – 3:00 p.m.

Brownfields: Getting the Deal "Done"

Brownfields transactions have been occurring for more than a decade now. Some transactions move forward smoothly, while others do not. These differences are the result, at least in part, of differences in states' voluntary cleanup programs. Why are some state voluntary cleanup programs more successful than others? What practices can lawyers encourage their state legislatures or agencies to adopt that are working well elsewhere? This panel of experienced brownfields practitioners will discuss what is working well, and what is not, and how brownfields programs can continue to evolve to facilitate economic redevelopment of underutilized or abandoned sites, while protecting human health or the environment.

Moderator:

Richard J. Ericsson, *Farer Fersko, Westfield, NJ*

Speakers:

Jill A. Gaito, *Deputy Secretary, Community Revitalization and Local Government Support, Pennsylvania Department of the Environment, Harrisburg, PA (formerly with Gannett Fleming and TerraSure)*

Jay Pendergrass, *Co-Director, Brownfields Center, Environmental Law Institute, Washington, DC*

Gary J. Silversmith, *President, P & L Investments, LLC, Washington, DC*

Harry R. Weiss, *Ballard Spahr Andrews & Ingersoll, LLP, Philadelphia, PA*

1:30 p.m. – 3:00 p.m.

Congress and You— Upcoming Legislation

The 110th Congress will consider important environmental, energy, and resource issues in 2007-2008. Learn about these issues, congressional activity to address them, plus how new legislation can affect you and your clients, all from speakers extensively involved in congressional activities and familiar with who's who in Washington, D.C. Come with your questions for an active colloquy following the speakers' presentations.

Moderator:

William W. Kinsey, *Bonneville Power Administration, Portland, OR*

Speakers:

David T. Crow, *President, DC Legislative and Regulatory Services, Inc., Washington, DC*

R. Larson Frisby, *Senior Legislative Counsel, Governmental Affairs Office, American Bar Association, Washington, DC*

1:30 p.m. – 3:00 p.m.

Biotech Meets Nanotech Down on the Farm—A Mock Public Hearing to Explore 21st Century Permitting Issues

A mock public hearing will be conducted and a decision rendered by the presiding judge regarding a permit application involving a farm and concentrated animal feeding operation (CAFO) that seeks to expand its operations by using as feedstock a genetically modified corn designed to reduce phosphorus and nitrogen output, while utilizing a nanotech particulate to remove toxics from the CAFO waste. This session will present stakeholders' views and will present a realistic example of the complicated issues and varying viewpoints that often arise in communities where novel technologies have both potential environmental benefits and risks.

CLE Program Descriptions

Moderator:

Daniel M. Krainin, *Beveridge & Diammond, P.C., New York, NY*

Panelists:

James H. Andreasen, *Shook, Hardy & Bacon, Kansas City, MO*

John C. Becker, *Professor of Agricultural Economics and Law, The Pennsylvania State University, University Park, PA*

Hon. Michelle A. Coleman, *Pennsylvania Environmental Hearing Board, Harrisburg, PA*

Jane Earley, *Director, Center for Conservation Innovation, World Wildlife Fund—United States, Washington, DC*

Kirsten L. Nathanson, *Crowell & Moring LLP, Washington, DC*

Christine G. Zeman, *Hodge Dwyer Zeman, Springfield, IL*

1:30 p.m. – 3:00 p.m.

Resources Hot Topics

This panel will canvass various hot topics in the natural resources law area, including new developments in sustainable mining requirements, an analysis of the new Forest Planning Rules, an update on the implementation of the 2005 Energy Policy Act and a summary of some of the permitting obstacles facing the Alaska Natural Gas Pipeline Project.

Moderator:

Denise A. Dragoo, *Snell & Wilmer L.L.P., Salt Lake City, UT*

Speakers:

Robert D. Comer, *Regional Solicitor, U.S. Department of the Interior, Lakewood, CO*

Kim Harb, *Director, Policy and Government Affairs, National Ocean Industries Association, Washington, DC*

Marcelle Shoop, *Federal Government Affairs, Rio Tinto, Washington, DC*

James J. Ustasiewski, *U.S. Department of Agriculture, Juneau, AK*

3:30 p.m. – 5:30 p.m.

The Ethical Lawyer: Rules and Responsibilities in a Multi Jurisdictional Practice World—Avoiding the Gong! (Ethics credit applied for)

The growth of the virtual law office, the expansion of mega law firms and our increasingly mobile and virtual society

challenges today's attorney compliance with the Rules of Professional Responsibility regarding multi-jurisdictional practice. Join in this interactive session to explore the MJP requirements as applied to real life examples of situations where even the brightest lawyers may find themselves violating the Rules of Professional Conduct. You decide the proper course of conduct and avoid the gong!

Moderator:

Thomas M. Skove, *Roetzel & Andress, L.P.A., Cleveland, OH*

Speakers:

Peggy Love, *Deputy Ethics Official, Office of General Counsel, U.S. Environmental Protection Agency, Washington, DC*

Thomas Ross, *Professor of Law, University of Pittsburgh School of Law, Pittsburgh, PA*

Saturday, September 29, 2007

8:00 a.m. – 10:00 a.m.

Practice Development at the Beginning—Applying Your Energy and Resources to Create Your Practice Environment (non-CLE)

You are a new partner in a law firm or you have just left an environmental agency or you are starting your own “boutique” practice. You have developed some clients in environmental law, energy law and/or resources law. But, how do you develop enough clients to have a viable practice in these fields? Three attorneys and a professional development expert will explore what works and what does not work.

Moderator:

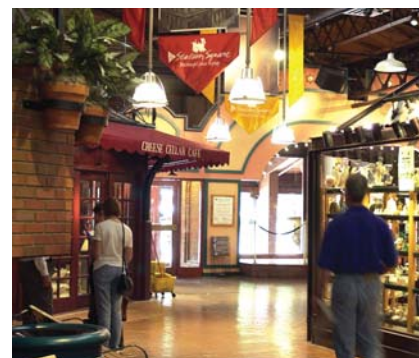
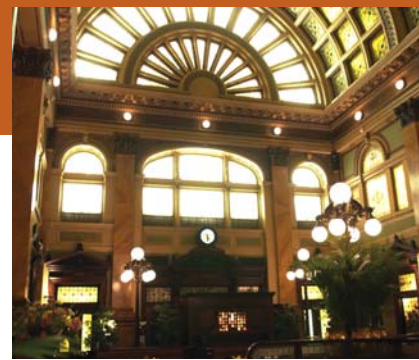
James R. (Jim) Arnold, *The Arnold Law Practice, San Francisco, CA*

Speakers:

Joseph M. Dawley, *Bowles Rice McDavid Graff & Love, LLP, Morgantown, WV*

Mary C. Hendrix, *Director of Business Development, Greenebaum Doll & McDonald, PLLC, Louisville, KY*

Emily L. Won, *K&L Gates, Newark, NJ*



10:00 a.m. – 12:00 p.m.

Practice Development Mid-Career—Resources to Recharge Your Energy and Enhance Your Environment (non-CLE)

You know the law. Now, how do you manage the business of your career? Listen to in-house counsel from large corporations who will discuss how they decide what outside counsel to use and how they manage outside counsel. Listen, too, as an expert discusses the client relationship/business development skills needed to succeed in the attorney marketplace.

Moderator:

Sara M. Burgin, *Baker Botts L.L.P., Austin, TX*

Speakers:

Mary C. Hendrix, *Director of Business Development, Greenebaum Doll & McDonald, PLLC, Louisville, KY*

Carol Lear, *Senior Counsel, Chevron Corporation, Houston, TX*

Robert D. Sloan, *General Counsel and Secretary, Entergy Corporation, New Orleans, LA*

Basic Practice Series

An Introduction to the Practice of Environmental Law

This special series of sessions will provide an introduction to the practice of environmental law through presentation and discussion of the major federal environmental programs by leading environmental law practitioners who are recognized experts on the subjects being presented. In addition to providing an overview of the basic federal programs, there will be a discussion of the current hot topics in each of the substantive areas. The sessions will also provide the lawyers attending the program with practical information, including identifying the best resources for lawyers to use efficiently (e.g. books, other publications, electronic resources) to learn more about these topics and thus provide more effective counseling.

Basic Practice Series Coordinator:

Eugene E. Smary, Warner Norcross & Judd, LLP, Grand Rapids, MI

Friday, September 28, 2007

1:30 p.m. – 2:45 p.m.

Clean Air Act

This session will provide an overview of how the Clean Air Act was developed, has evolved and is administered by EPA and the states. Learn about the key resources and strategies that you can use to efficiently and accurately answer the complex questions that frequently arise under the Act.

Roy Belden, Senior Vice President-Environmental Support, GE Energy Financial Services, Stamford, CT

2:45 p.m. – 3:00 p.m.

Networking Break

3:00 p.m. – 4:15 p.m.

Clean Water Act

This session will provide an overview of how the Clean Water Act was developed, has evolved and is administered by EPA and the states. Learn about some of today's hot topics that will be the major issues under the Act in the coming years.

Lynn Dodge, University of Detroit-Mercy Law School, Detroit, MI

4:15 p.m. – 4:30 p.m.

Networking Break

4:30 p.m. – 5:45 p.m.

Superfund and Brownfields

This session will provide an overview of how the Comprehensive Environmental Response and Compensation and Liability Act, more commonly referred to Superfund, was developed and has evolved in the 25 years plus since its passage. Learn about the major issues in enforcement, defense, contribution litigation and the opportunities that Brownfields legislation and regulations provide to lawyers and their clients.

James R. (Jim) Arnold, The Arnold Law Practice, San Francisco, CA

Saturday, September 29, 2007

8:00 a.m. – 10:00 a.m.

Practice Development at the Beginning—Applying Your Energy and Resources to Create Your Practice Environment

You are a new partner in a law firm or you have just left an environmental agency or you are starting your own "boutique" practice. You have developed some clients in environmental law, energy law and/or resources law. But, how do you develop enough clients to have a viable practice in these fields? Three attorneys and a professional development expert will explore what works and what does not work.

Moderator:

James R. (Jim) Arnold, The Arnold Law Practice, San Francisco, CA

Speakers:

Joseph M. Dawley, Bowles Rice McDavid Graff & Love, LLP, Morgantown, WV

Mary C. Hendrix, Director of Business Development, Greenebaum Doll & McDonald, PLLC, Louisville, KY

Emily L. Won, K&L Gates LLP, Newark, NJ

10:00 a.m. – 10:15 a.m.

Networking Break

10:15 a.m. – 11:30 a.m.

Chemical Regulation

This session will provide an overview of the Toxic Substances Control Act, the Federal Insecticide, Fungicide, and Rodenticide Act, the Toxic Release Inventory, California's Proposition 65, and some other international treaties, federal and state statutes that regulate chemicals. Learn to navigate through the complex maze of chemical regulatory programs

Registration Information

The basic registration fee (excluding books) for this program includes tuition for the program and course material proceedings developed especially for this meeting. In addition, your fee covers reception and networking events at the Section Fall Meeting including: the off-site reception at the Carnegie Science Center (Friday), continental breakfast and networking breaks (Friday and Saturday) and the Farewell Reception (Saturday).

If you wish to participate in programs in conjunction with the Section Fall Meeting you are expected to register for the Fall Meeting separately.

The Basic Practice Series Books

You may also choose to register for this program and receive a significant discount on the Section's Basic Practice Series Book Publications. The following books will be included in the discounted package price: *Clean Water Act*, *Clean Air Act*, *RCRA*, *CERCLA*, *FIFRA* and *TSCA*.

Registration Form

You may register online at <http://www.abanet.org/environ/fallmeet/2007/bps.shtml> or use the registration form at back of brochure to register for **The Basic Practice Series—An Introduction to Environmental Law**.

that can have profound operational and liability impacts on your clients.

Lynn L. Bergeson, Managing Director, Bergeson & Campbell, P.C., Washington, DC

11:30 a.m. – 12:30 p.m.

Lunch Break

12:30 p.m. – 1:45 p.m.

Hazardous and Solid Waste Law

This session will provide an overview of how the Resource Conservation and Recovery Act was developed, has evolved and is administered by EPA and the states. Learn about the most common situations under which clients are likely to have hazardous and solid waste issues.

Randy Hill, Deputy Director, Office of Civil Enforcement, U.S. Environmental Protection Agency, Washington, DC

1:45 p.m. – 3:00 p.m.

Federal Information

This session will provide an overview of how federal regulatory agencies collect and disclose information in the context of environmental and resource disputes, from the administrative investigation stage to enforcement litigation in federal court. Learn about the resources you can use to respond to an administrative information request, protect confidential business information, and obtain the agency records you need.

Stephen Gidiere, Partner, Balch & Bingham, Birmingham, AL

Business Activities and Social Events

Section Business Activities

Section leadership should plan to attend special sessions throughout the meeting for Committee Chairs and Vice Chairs, Service Group Members, and Council members. Section members are welcome to attend. Each of these meetings will help you learn more about your Section and its activities.

Wednesday, September 26

2:00 p.m. – 5:00 p.m.

Section Council Meeting

Everyone is welcome to attend.

Thursday, September 27

7:00 a.m. – 7:45 a.m.

Joint Meeting of the Service Groups

Members of the Education, Membership and Publications service group will meet together to discuss goals and projects for the upcoming year. The meeting will be lead by Alexandra Dunn (incoming Education Officer), Sara Beth Watson (continuing Membership Officer) and Kathleen Marion Carr (incoming Publications Officer).

Thursday, September 27

5:30 p.m. – 6:30 p.m.

Committee Vice Chair Leadership Training

Friday, September 28

7:30 a.m. – 8:30 a.m.

Committee Vice Chair Working Groups

Vice Chairs will break into working groups representing their leadership role (Membership, Programs, Public Service, Technology, *The Year in Review*, Committee Newsletter). This session will enable you to meet your peers from other committees as your leadership responsibilities are discussed in greater detail.

Friday, September 28

8:30 a.m. – 12:00 p.m.

Trends Board Meeting

Friday, September 28

12:00 p.m. – 1:30 p.m.

Committee Get-Together Luncheon

Hosted by the Section's substantive committees, this informal lunch is your unique opportunity to meet and network with other meeting attendees who share your practice area. Everyone is invited to participate.

Friday, September 28 –

Saturday, September 29

8:00 a.m. – 5:00 p.m./

8:00 a.m. – 1:00 p.m.

Natural Resources & Environment (NR&E) Board Meeting

The board of *Natural Resources & Environment* will meet to plan upcoming issues of the Section's quarterly magazine.

Friday, September 28

5:30 p.m. – 6:30 p.m.

Committee Chairs Meeting

Committee Chairs will join Council Liaisons to discuss action plans and strategies for the upcoming year. This is an excellent opportunity to meet Chairs of other Section Committees and plan cooperative initiatives.

Saturday, September 29

8:00 a.m. – 3:00 p.m.

Book Publications Committee Meeting

The Book Publications Committee will meet to discuss Section books in development and review proposals for new titles.

Saturday, September 29

1:30 p.m. – 5:00 p.m.

Section Council Meeting

Everyone is welcome to attend.

Evening Social Events

Wednesday, September 26
6:30 p.m. – 8:00 p.m.

Welcome Reception

Everyone is welcome and encouraged to join us as we catch up with old friends, meet new ones and meet the Section leadership before the conference begins.

Thursday, September 27
6:30 p.m. – 9:30 p.m.

Reception and Tour of The Andy Warhol Museum

Reception generously sponsored by K&L Gates LLP and IQWest

Experience the work and life of famed pop artist and cinematographer Andy Warhol. Opened in 1994 in Warhol's native city of Pittsburgh, the Museum features extensive permanent collections of art and archives on one of the most influential American artists of the twentieth century. Guests will enjoy exclusive access to tour the Museum and ample opportunity to socialize and network with colleagues. *(Tickets for spouse/guests of meeting attendees can be purchased for \$15.)*

Friday, September 28

6:00 p.m. – 8:00 p.m.

Local Flair Reception at the Carnegie Science Center

Reception generously sponsored by Babst Calland Clements & Zomnir, PC; Jones Day; Reed Smith LLP; and Thorp Reed & Armstrong, LLP

The Pittsburgh Science Center is the perfect place to join colleagues for a networking reception at the conclusion of program sessions. Take a walking tour of western Pennsylvania at the legendary Miniature Railroad & Village® or visit the Zap! Surgery: Beyond the Cutting Edge traveling exhibit. *(Tickets for spouse/guests of meeting attendees can be purchased for \$15.)*

Friday, September 28

8:00 p.m.

Dining Together

On Friday evening, Section leaders will make reservations at local venues and hang informational sign-up sheets on the message board in the registration area. This is an excellent opportunity to meet new people. Join Fall Meeting attendees and their guests for dinner on Friday after the Local Flair Reception ends.

Friday, September 28

9:30 p.m. – 11:00 p.m.

Dessert Reception

After dinner event sponsored by Alston & Bird LLP

Saturday, September 29

6:00 p.m. – 7:00 p.m.

Farewell Reception

Don't miss this last opportunity to gather with your colleagues as we regroup for a farewell reception.

Luncheons

Thursday, September 27
12:00 p.m. – 1:30 p.m.

Technical Roundtables

The Technical Roundtables are designed to provide a casual setting so that participants can enjoy lunch while benefiting from information and interaction with sponsoring consulting firms. Each will discuss a specific technical education area. Please plan to join us for lunch and this unique opportunity. For further information see complete topic descriptions listed in the program outline.

Friday, September 28
12:00 p.m. – 1:30 p.m.

Committee Get-Together Luncheon

Hosted by the Section's substantive committees, this informal lunch is your unique opportunity to meet and network with other meeting attendees who share your practice area. Everyone is invited to participate.



Registration Information

The Section is pleased to host two separate but complimentary programs in Pittsburgh: the 15th Section Fall Meeting and The Basic Practice Series. Please refer to the information below and the attached Registration Form to answer your questions about how to register for these separate programs.

Program Course Materials

Conference proceedings and related background information will be provided to participants via CD Rom in order to reduce the environmental impact of the program. Bound copies of the program materials are available for purchase at a cost of \$80. They will be shipped to you post-program.

Location and Lodging

The Section events will take place at the historic Omni William Penn Hotel, 530 William Penn Place, Pittsburgh, PA. The Section has negotiated a discounted rate for meeting attendees of \$149.00 single/double occupancy. A limited number of rooms are available to government employees at a rate of \$100.00. Identification is required for the government rate. We expect the lodging block to sell out, please make your reservations early by calling the hotel directly at (800) 843-6664. Remember to ask for the American Bar Association block in order to take advantage of the discounted rates. Based upon availability, negotiated room rates will only be available until **Wednesday, September 5, 2007**.

Transportation

The Omni William Penn is located approximately 30 miles from the Pittsburgh International Airport. Several options exist for your transfer between the airport and the hotel. Taxi service is located outside of baggage claim at a cost of approximately \$38 plus gratuity (one way). Shuttle service provided by U.S. Shuttle Express makes regular departures from the airport baggage claim area until 11:30 p.m. daily for \$19/person each way. Reservations are not required; return service may be coordinated through the Omni Concierge desk. Several rental car options are located at the airport. Hotel parking costs \$26/day for valet service (with 24-hour in and out privileges) or you may use the self-park lot across the street for \$14/day.

Advance Registration

We request that all registrations be made in advance of the meeting. We encourage you to take advantage of online registration at <http://www.abanet.org/environ/fallmeet/2007/>. You can also complete the attached form and mail it with your check (payable to the American Bar Association) or credit card number to: ABA Section of Environment, Energy, and Resources, Attn: Program Registrar, 321 N. Clark Street, Chicago, IL 60610. All attendees must be registered for this program to participate.

The deadline to receive the early bird registration rate for the Section Fall Meeting is **August 20, 2007**. All registrations postmarked after **August 20, 2007**, must include an additional \$50 for processing. The final cutoff date for registrations is **September 12, 2007**.

Section Fall Meeting Registration Fee

The registration fee for the 15th Section Fall Meeting includes tuition and proceedings developed especially for this meeting. In addition, your fee covers Wednesday's "Day of Service" and Welcome Reception; Thursday's Technical Roundtable Luncheon and off-site reception at The Warhol Museum; Friday's Committee Get-Together Luncheon and off-site reception at The Carnegie Science Center; and Saturday's Farewell Reception. Continental breakfast and networking breaks will take place on Thursday, Friday, and Saturday. You are also invited to participate in the

ticketed breakfast roundtables. Space is limited at these events and tickets will be distributed on a first come, first served basis. Please register for these events on the attached registration form. Attendees of The Basic Practice Series should consult the program description for registration fee information.

Spouse/Guest Fee

Spouses and Guests of registered meeting attendees are invited to participate in the Welcome Reception on Wednesday and the Farewell Reception on Saturday. Thursday and Friday's off-site receptions at The Warhol Museum and the Carnegie Science Center are not complimentary to spouse/guests. Non registered spouse/guests may purchase a ticket to attend for \$15/person (see registration form.)

Ticketed Breakfasts

In addition to the general breakfasts, there are three ticketed breakfasts on the program. You are invited to participate free of charge in the ticketed breakfast roundtables. However, space is limited so you are required to register for a ticket in advance of the functions. Tickets will be distributed on a first come, first served basis. Please register for these events on the attached registration form.

Cancellation Policy

Tickets are considered final at the time of sale and do not qualify for a refund upon cancellation. Attendees registered for the Section Fall Meeting and/or The Basic Practice Series are eligible for a full refund of the registration fee less a \$50 administrative fee for all written requests received by **September 12, 2007**. No refunds will be granted after **September 12, 2007**—no exceptions will be made. Substitutions are acceptable. The Section does not provide credits to be used toward future programs. Cancellations may be sent via fax to (312) 988-5572, attn.: Program Registrar. The ABA reserves the right to cancel any program and assumes no responsibility for personal expenses.

Special Tuition Assistance

A limited number of registration fee waivers are available for government employees, public interest lawyers employed with non-profit organizations, and academics. To apply, send a letter outlining the program you are interested in attending (15th Section Fall Meeting and/or The Basic Practice Series) and the basis for your request of a fee waiver to Peter Wright, Program Chair, c/o the ABA Section of Environment, Energy, and Resources, 321 N. Clark Street, Chicago, IL 60610. **Deadline: August 20, 2007**

Dress Code and Weather

Section meetings are business casual. Suggested dress includes slacks, skirts, polo type shirts or blouses, sweaters, and comfortable shoes. Remember the hotel will be air conditioned, so please pack a jacket or sweater. The average temperature in Pittsburgh in September ranges from a high of 73 degrees to a low of 60 degrees.

Americans with Disabilities Act

If you require special arrangements for a disabled individual to attend this program, please call the Program Assistant (312) 988-5724 by **September 21, 2007**.

Registration Form

Section of Environment, Energy, and Resources

Use this form to register for the Fall Meeting, The Basic Practice Series or a combination of both.

I would like to purchase Course Proceedings (includes s/h):

- 15th Section Fall Meeting Bound Course Book (\$80)
 15th Section Fall Meeting CD-ROM (\$45)
 The Basic Practice Series
(\$50 does not include *The Basic Practice Series* books)

REGISTER ONLINE!

Save time by registering for this meeting online.

Visit <http://www.abanet.org/environ/fallmeet/2007/>

JOIN THE SECTION

- I am already a member of the ABA, and would like to join the Section to take advantage of the discounted Section member's rate:
 I have enclosed a separate check for \$75 (payable to the American Bar Association).
 Charge my credit card \$75.

Return this registration form (including check, credit card, or purchase order) to:

American Bar Association
Section of Environment, Energy, and Resources
Attn: Program Registrar
321 N. Clark Street, Chicago, IL 60610
Fax: (312) 988-5572

Questions? Call (312) 988-5724

Please print or type

LAST NAME FIRST M.I.

FIRST NAME (NICKNAME FOR BADGE)

ABA MEMBERSHIP #

FIRM OR AGENCY

ADDRESS

CITY STATE ZIP

TELEPHONE

FAX

E-MAIL

Information provided on this registration form is published in an attendee roster and disseminated to meeting attendees:

- Please do not list my name or contact information in the registration roster.
 Please do not list my e-mail address in the registration roster.

New York licensed participants are required to sign-in and sign-out on a special attendance sheet at each session.

- I am licensed in the state of New York.

ABA FJE Contribution \$25 (suggested) \$ _____

Voluntary contribution to support the Section of Environment, Energy, and Resources Project Support Fund. Contributions to the FJE are tax deductible to the full extent allowed by law.

Section Fall Meeting

(Wednesday–Saturday)

Early Bird Registration Before 8/20/07 **Regular Registration**

Section Member	<input type="checkbox"/> \$585	<input type="checkbox"/> \$635
ABA Member	<input type="checkbox"/> \$640	<input type="checkbox"/> \$690
General Attendee	<input type="checkbox"/> \$660	<input type="checkbox"/> \$710
Gov't, Public Interest, Academics	<input type="checkbox"/> \$360	<input type="checkbox"/> \$400
Young Lawyers*	<input type="checkbox"/> \$360	<input type="checkbox"/> \$400
Law Students	<input type="checkbox"/> \$125	<input type="checkbox"/> \$125

*Qualifying young lawyers are those who have been admitted to practice in their first bar within the past five years or who are less than 36 years old.

The Basic Practice Series

(Friday afternoon–Saturday)

Registrants of The Basic Practice Series must also be registered for part or all of the Section Fall Meeting in order to qualify for the discounted rate.

Registration

- Fall Meeting Registrant \$50 registration only
 \$265 registration and books
BPS Only Attendees \$145 registration only
 \$300 registration and books

Ticketed Functions

Select Quantity

Thursday Transboundary Program	_____	\$0
Thursday Enforcement Program	_____	\$0
Friday Nanotechnology Program	_____	\$0
Additional Tickets: The Warhol Museum	_____	\$15
Additional Tickets: Carnegie Science Center	_____	\$15

Payment

Sub-Total Fall Meeting Registration Fees \$ _____

Sub-Total Basic Practice Series Fees \$ _____

Sub-Total Additional Ticket Fees \$ _____

ABA FJE Contribution \$ _____

TOTAL ENCLOSED: \$ _____

Check enclosed for \$ _____

(payable to the American Bar Association)

Purchase Order Enclosed (government agencies only) P.O. #: _____

Charge my credit card (circle one):

- Visa MasterCard American Express

CARD NUMBER _____ EXP. DATE _____

SIGNATURE _____

15th Section Fall Meeting

The Omni William Penn Hotel

Program Date: **September 26–29, 2007**

Early Bird Registration Deadline: **August 20, 2007**

Housing Deadline: **September 5, 2007**



CLE-at-a-Glance

Wednesday, September 26, 2007

8:00 a.m. - 1:00 p.m.

“Day of Service” – Section Public Service Project (off-site/non-CLE)

Thursday, September 27, 2007

7:00 a.m. – 8:00 a.m.

- (Ticketed) Canada – U.S. Cooperation on Transboundary Environmental Risks
- (Ticketed) Breakfast with the Enforcer

8:00 a.m. – 10:00 a.m.

- Keynote Address: Secretary McGinty
- Opening Session: Meeting Our Energy Challenges Head On – A Complex Mosaic of Solutions

10:30 a.m. – 12:00 p.m.

- Evolving Issues in Eastern Water Law
- Think Globally, Act Locally: The Proliferation of State and Local Toxics Regulations
- It's Getting Hot in Here: Global Warming and the Courts
- Reviving the Nuclear Power Option: How I Learned to Stop Worrying and Love the Atom

12:00 p.m. – 1:30 p.m.

Technical Roundtables Luncheon

2:00 p.m. – 3:30 p.m.

- Private Rights, Public Resources
- Contaminated Sediments: Challenges from Megasites to Brownfield Redevelopment
- Everything You Wanted to Know About Practicing Before EPA's Administrative Law Judges But Were Afraid to Ask

4:00 p.m. – 5:30 p.m.

- Nanotech Risk Management
- Resolution of Intermunicipal Disputes in the Implementation of Sanitary Sewer Overflow Abatement Projects
- Regulatory and Market Mechanisms to Reduce Greenhouse Gas Emissions

5:30 p.m. – 6:30 p.m.

State and Regional Idea Exchange (non-CLE)

Friday, September 28, 2007

7:30 a.m. – 8:30 a.m.

(Ticketed) Business Issues and Nano: Something to Chew Over

8:30 a.m. – 10:00 a.m.

Plenary Session: Environmental Law in the Supreme Court – How Well Does the Court Handle Complex Issues of Regulatory Authority?

10:30 a.m. – 12:00 p.m.

- Biofuels and Biotechnology – Exploring Regulatory and Liability Barriers to Sustainable Renewable Energy Sources
- Environmental Liability Transfer Brownfields Program

- Homeland Security and Critical Infrastructure Protection: The Chemical Sector and Beyond
- Hot Issues in Air: A Permitting Case Study

12:00 p.m. – 1:30 p.m.

Committee Get-Together Luncheon (non-CLE)

1:30 p.m. – 3:00 p.m.

- Brownfields: Getting the Deal “Done”
- Congress and You – Upcoming Legislation
- Biotech Meets Nanotech Down on the Farm – A Mock Public Hearing to Explore 21st Century Permitting Issues
- Resources Hot Topics

1:30 p.m. – 5:45 p.m.

The Basic Practice Series – An Introduction to the Practice of Environmental Law

3:30 p.m. – 5:30 p.m.

Ethics Session: The Ethical Lawyer: Rules and Responsibilities in a Multi Jurisdictional Practice World-Avoiding the Gong!

Saturday, September 29, 2007

8:00 a.m. – 12:15 p.m.

The Basic Practice Series – An Introduction to the Practice of Environmental Law

8:00 a.m. – 10:00 a.m.

Practice Development at the Beginning – Applying Your Energy and Resources to Create Your Practice Environment

10:00 a.m. – 12:00 p.m.

Practice Development Mid-Career – Resources to Recharge Your Energy and Enhance Your Environment (non-CLE)