

Agenda

Agenda Day One

Water Use and Allocation in Pennsylvania

Z. Koslap, M. Dillon,
S. Hill

Ownership of surface water and groundwater
Regulation of surface water and groundwater rights
Obtaining surface water and groundwater rights
Application and permitting process
Amending surface water and groundwater rights
Current issues in surface water and groundwater rights
Susquehanna and Delaware River Basin Commission (SRBC and DRBC)

Clean Water Act Hot Topics

B. Gotanda, T. Kantorczyk

Overview Federal Clean Water Act and NPDES permitting
Groundwater, indirect discharges and functional equivalency
Waters of the United States (WOTUS)

Update on PFAS and Other Contaminants in Water

K. Campbell, J. Hunt,
W. Hitchcock

Regulatory developments Science of PFAS
Litigation updates Mitigating risks

Agenda Day Two

Water Quality Issues Associated with Development and Construction

D. Silva, J. Spergel,
M. Nines

Determining what permits you may need for your project
• PADEP Ch 102 Erosion and Sediment Control
• PADEP Ch 105 Water Obstructions & Encroachments
• USACE 404 – Discharge of Dredged Fill Material into Waters of the United States

General permits and nationwide permits

Individual permits

Endangered Species Clearances (PNDI & USFWS)

rd PADEP Permit requirements & obligations

Act 167 Stormwater Planning

Sewerage Regulation (Act 537) and septic systems

Local stormwater regulations

Stormwater fees and “green stormwater” requirements

Post-construction stormwater management requirements

Industrial stormwater permitting

Compliance and Enforcement

B. Franey, S. Daly

State and federal enforcement process

What to do when an inspector shows up

Benefits and risks of self-disclosure

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Pennsylvania Water Laws and Regulations

Online - Wed., April 27 and Thurs., April 28, 2022

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Learning Objectives

You'll be able to:

Discuss regulation of groundwater and surface water rights in Pennsylvania.

Explore hot topics in federal Clean Water Act application and enforcement, including what waters are considered “Waters of the United States.”

Talk about scientific and regulatory developments on the presence of PFAS and other contaminants in water.

Tackle water quality issues associated with development and construction.

Comply with stormwater regulations during and after construction.

Examine federal and state enforcement of water-related regulations.



HalfMoon Education Live Webinars

Pennsylvania Water Laws and Regulations

Live, Interactive Webinar

Wednesday, April 27 and Thursday, April 28, 2022



Discuss water use and allocation in Pennsylvania

Explore the Federal Clean Water Act and NPDES permitting

Get an update on PFAS and Other Contaminants in Water

Determine what permits you may need for your project

Examine post-construction stormwater management requirements

Understand compliance and enforcement

Continuing Education Credits

Pennsylvania Attorneys

6.5 CLE Hours

Pennsylvania Engineers & Geologists

6.5 PDHs

Floodplain Managers

6.5 ASFPM CECs



Faculty

Jonathan Spergel *Manko, Gold, Katcher & Fox LLP*

Mr. Spergel handles a wide variety of environmental legal issues, including the environmental aspects of commercial transactions and brownfields sites, environmental insurance procurement and coverage issues, public funding opportunities, regulatory compliance counseling, and litigation for commercial, industrial, residential, and individual clients. He is the former Managing Partner of Manko, Gold, Katcher and Fox and served as general counsel for a regional real estate development company that focused on the redevelopment of brownfield sites early in his legal career.

Kate Campbell *Manko, Gold, Katcher & Fox LLP*

Ms. Campbell is a Chambers-ranked litigation partner at the firm focusing on environmental, toxic tort and class action litigation and Superfund and RCRA remediation matters. In addition to her litigation and remediation practice, she has also been involved for many years in activities involving Total Maximum Daily Loads (TMDLs) for toxic pollutants, advocating on behalf of individual clients and a regional coalition of industrial and municipal dischargers. Through this work, Ms. Campbell has been able to develop a detailed understanding of the nuances of the Clean Water Act and the TMDL regulatory program, and the contours of TMDL litigation at the federal and state levels.

Brenda Hustis Gotanda *Manko, Gold, Katcher & Fox LLP*

Ms. Hustis Gotanda has over 25 years of experience representing and counseling business clients on environmental matters, including regulatory compliance, permitting, transactions, project development, and enforcement. Her practice addresses a broad range of complex issues involving the regulation of water, waste, air, and chemical substances and she has handled significant matters involving wastewater discharge and stormwater permitting, total maximum daily load (TMDL) development, and water allocation; site remediation and brownfield redevelopment; waste handling, treatment and disposal; business and real estate transactions, due diligence and contracting; occupational safety and health (OSHA); and spill prevention and emergency response.

Todd Kantorczyk *Manko, Gold, Katcher & Fox LLP*

Mr. Kantorczyk has extensive experience advising clients on complex issues related to regulatory compliance, litigation, and transactional matters, particularly in the areas of wetlands and stormwater permitting, chemical regulation, air, climate change, and energy. His practice has included matters related to chemical regulation under the Toxic Substances Control Act, as well as natural gas production in the Marcellus Shale Region and associated infrastructure development, including cutting-edge issues affecting the regulation of upstream and midstream natural gas operations under federal and state air quality and water resource programs.

Bryan Franey *Manko, Gold, Katcher & Fox LLP*

Mr. Franey has experience in counseling and representing clients on a range of environmental and energy matters. His practice has focused on regulatory compliance and transactional matters, particularly in the areas of air and water quality, redevelopment, sustainability, permitting, energy efficiency and renewable energy development. Over the last several years, Mr. Franey has primarily worked with complex regulated industries, notably including petroleum refining, chemical processing, oil and gas operations, metal manufacturing, and electric generating facilities.

Diana Silva *Manko, Gold, Katcher & Fox LLP*

Ms. Silva concentrates her practice in environmental litigation, including statutory contribution and cost recovery actions, toxic tort claims, contractual disputes, and administrative enforcement actions. She also counsels clients on environmental regulatory compliance matters, as well as permitting related to land development issues. Ms. Silva has helped represent one of the largest international pipeline entities with environmental compliance counseling project management support in addition to litigation defense in several forums. She is also experienced in the defense and resolution of claims asserted under the federal Comprehensive Environmental Response, Compensation, and Liability Act, the Clean Water Act, the Pennsylvania Clean Streams Law, and many other state and federal regulations.

Webinar Information

Day One: Wednesday, April 27, 2022

8:30 - 11:45 am EDT (including a 15-min. break)

Day Two: Thursday, April 28, 2022

8:30 am - 12:15 pm EDT (including a 15-min. break)

(please log into the webinar 15 - 30 minutes before start time)

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Michael Dillon *Manko, Gold, Katcher & Fox LLP*

Mr. Dillon works in the firm's complex industrial and regulatory practices, with a particular focus in the areas of air, water quality, and endangered species regulation. He has worked with a wide array of clients, including those in the manufacturing, waste, power generation, commercial development, transportation, education, and municipal sectors. Mr. Dillon counsels clients on environmental matters at both the state and federal level, including permitting, agency enforcement, and regulatory compliance involving air emissions, wastewater, stormwater, impacts to endangered species, and solid and hazardous waste.

Zachary Koslap *Manko, Gold, Katcher & Fox LLP*

Mr. Koslap concentrates his practice in regulatory compliance and transactional matters, with a particular focus on water, waste, brownfield redevelopment, permit compliance, agency enforcement and environmental justice matters. Prior to law school, he was a Peace Corps Volunteer in the Republic of Macedonia, where he specialized in local government and community development. Mr. Koslap also completed service with AmeriCorps, working in small business development at the Lower Manhattan Business Solutions Center.

Stephen Daly *Manko, Gold, Katcher & Fox LLP*

Mr. Daly concentrates his practice on environmental litigation and has broad experience litigating a wide variety of environmental and administrative matters including responding to and defending against agency enforcement actions, as well as defending against citizen suits under the federal Clean Water Act and the Pennsylvania Clean Streams law, among other environmental statutes.

Jessica D. Hunt *Manko, Gold, Katcher & Fox LLP*

Ms. Hunt concentrates her practice in environmental regulatory compliance and permitting matters, with a particular focus in the areas of air and solid waste. Prior to joining MGKF, she was an assistant counsel for the Commonwealth of Pennsylvania, Department of Environmental Protection where she counseled the Department's Air Quality and Solid Waste programs since 2014. In law school, Ms. Hunt was a law clerk for the U.S. Environmental Protection Agency, a law clerk for the Philadelphia Water Department, and a legal intern for Aqua America.

Spencer Hill, Jr. *Manko, Gold, Katcher & Fox LLP*

Mr. Hill concentrates his practice on environmental litigation. Prior to joining MGKF, he began his career at a large national firm based in Philadelphia where he gained extensive experience in white collar criminal defense, internal investigations, and complex commercial litigation. He also advised and represented clients in corporate governance and securities matters along with breach of contract claims and charter school law.

Michael Nines, P.E., LEED AP *Manko, Gold, Katcher & Fox LLP*

Mr. Nines serves as one of the firm's senior technical consultants and is a licensed professional engineer with diverse environmental engineering experience gained through previous employment in the manufacturing sector, environmental consulting, and with an international chemical manufacturing trade association. He focuses on the intricacies of the firm's client's complex manufacturing facilities, development projects, and related technologies to fully comprehend relevant multi-media regulatory concerns while maintaining a corporate management perspective to problem solving. Mr. Nines has specifically supported the firm's clients in various water quality issues such as stormwater permitting, wastewater utility permitting, sewer planning, and stormwater fee mitigation among others.

Will Hitchcock *Manko, Gold, Katcher & Fox LLP*

Mr. Hitchcock brings nearly a decade of experience to the firm from his time spent in the chemical manufacturing sector. With degrees in both Chemistry and Environmental Engineering, he has a diverse skill set that allows him to advise clients on complex technical and regulatory issues. He can explain complex technical arguments in ways that are easily understandable to decision-makers who may not have extensive scientific backgrounds or familiarity with the subject matter.

Continuing Education Credit Information

This webinar is open to the public and offers 6.5 CLE hours to Pennsylvania attorneys. HalfMoon Education is an approved CLE sponsor for Pennsylvania attorneys.+

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The Association of State Floodplain Managers has approved this event for 6.5 CECs.


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