



MTCA 30: An Intimate Look at Three Decades of Washington’s Contaminated Site Cleanup Law

Speaker Biographies | Tuesday, December 10, 2019 | Seattle’s One Union Square Boardroom or Webex

MTCA Overview: The History, Key Components, Achievements, and Future of a Citizens’ Initiative



Loren Dunn | ldunn@bdlaw.com
Principal, *Beveridge & Diamond*

Loren Dunn represents regional and national companies at locations throughout the country in environmental regulation and litigation issues. Loren’s environmental projects have involved hazardous waste and large multi-party toxics cleanup sites, including marine and freshwater sediment sites, landfills, and natural resource damages claims. He has also conducted extensive work obtaining permits for key facility operations. He has particularly deep knowledge of the following industries: manufactured gas facilities, regulated utilities, smelters and metals refineries, pesticide sites, and large area contamination sites.

Before entering private practice, Loren worked for the U.S. Environmental Protection Agency headquarters office as a senior policy economist. He received an agency merit award for excellent work on the development of the Agency’s hazardous waste program and its regulations.

Read More: bdlaw.com/loren-r-dunn/



Scott Fulton
President, *Environmental Law Institute*

In September 2015, Scott Fulton was selected as ELI’s fifth President. Previously, Mr. Fulton was a Principal at the environmental law firm Beveridge & Diamond, P.C., and served as General Counsel of the U.S. Environmental Protection Agency (EPA) and in a number of other high-ranking government leadership positions.

Scott has a steadfast commitment to ensuring that ELI’s core functions as a convener, educator, publisher of legal scholarship and policy dialogue, and research engine remain a sound foundation on which to build for the future. He also is focused on making sure that ELI is adapting and modernizing in alignment with a rapidly changing world.

Read More: eli.org/bios/scott-fulton



Jim Pendowski
Toxics Cleanup Program Manager, *Washington State Department of Ecology*

Jim Pendowski has been at the Department of Ecology (Ecology) for 28 years. He has managed the Toxics Cleanup Program since 1998. His current responsibilities include administering the state’s clean up law (the Model Toxics Control Act) and Underground Storage Tank Program. He has also managed Ecology’s Solid Waste Program.

Prior to coming to Washington, Jim worked at both the Illinois Environmental Protection Agency and the Illinois Department of Transportation. He has also managed permitting water quality, solid waste and transportation projects at the local level in both Illinois and Arkansas.

Jim received his Bachelor of Science Degree from the University of Wisconsin. He also has a Master’s Degree from the College of Architecture and Design from Kansas State University. He was named Distinguished Alumni Fellow for the College of Architecture and Design in 2010.



Mike Dunning

Partner, *Perkins Coie*

Michael Dunning's practice focuses on helping clients solve complex challenges arising from land, water and air pollution, and he has particular depth of experience in the area of contaminated sites. Mike previously served for more than a decade as an assistant attorney general for the State of Washington and acted as lead counsel on some of the state's most challenging and complex contaminated sites and cases.

As the former Section Chief of the Washington Attorney General's Hazardous Waste Cleanup section, Mike was responsible for a 10-attorney team that provided advice and litigation support to the state's Department of Ecology on all aspects of contaminated sites. He offers an insider's understanding when providing innovative and effective solutions to business, local government and nonprofit clients in litigation, transactional and permitting matters. Mike's depth of knowledge on Washington's superfund law, the Model Toxics Control Act (MTCA), includes experience as an expert witness.

Read More: perkinscoie.com/en/professionals/michael-dunning.html



Jim Neely

Environmental Programs Managing Supervisor, *King County*

James (Jim) Neely works for the King County Solid Waste Division, where he manages the county's Contaminated Sites Program. During the past 36 years he has provided technical oversight and support to emergency response actions, remedial investigations and site cleanup in compliance with CERCLA and MTCA regulations. At the county, Jim has spearheaded initiatives to identify and address contaminated properties located in low income communities. Jim holds an MS and BS in Environmental Management.



Rob Olsen

Environmental Health Specialist, *Tacoma-Pierce County Health Department*

After earning his Bachelor of Science from Evergreen, Rob Olsen began his career conducting fish and riparian assessments for Champion Pacific Timberlands. Rob was introduced to MTCA at Kitsap County Health Department where he conducted Initial Investigations on Ecology's behalf. Rob joined Tacoma-Pierce County Health Department in 2001 and continued Initial Investigations, Site Hazard Assessments and local pollution prevention and cleanup duties.

Rob is the Health Department's Contaminated Sites Program lead and provides local cleanup oversight on methamphetamine and Underground Storage Tank (UST) sites. In 2015, Rob launched a cleanup renewal campaign to address the 30 year backlog of contaminated UST sites, resulting in 250 site cleanups and many more underway. Rob looks to focus on contaminated UST sites near public and private wells and in neighborhoods with health equity and economic disparities.



Tracy Williams | twilliams@bdlaw.com

Associate, *Beveridge & Diamond*

Tracy Williams advises clients on compliance with federal and state environmental laws, with an emphasis on site remediation. She has over ten years of experience with the Model Toxics Control Act (MTCA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and Clean Water Act (CWA) matters – identifying cost-effective compliance solutions, assisting clients with due diligence processes, determining liability and addressing insurance issues, and negotiating settlements.

Tracy represents manufacturers, non-profit entities, and individual clients in both federal and state courts throughout Washington State. She negotiates with state and federal regulatory agencies regarding cleanup of contaminated sediments, soil, and groundwater sites and advises clients on remediation at complex multi-party sites involving polycyclic aromatic hydrocarbons, total petroleum hydrocarbons, polychlorinated biphenyls, and volatile organic compounds.

Read More: bdlaw.com/tracy-y-williams/

MTCA: Triumphs and Tribulations



Stan Alpert

Senior Environmental Counsel and Security Counsel, *The Boeing Company*

Stan Alpert has been practicing as senior environmental counsel with The Boeing Company since 2015, where he assists the company with remediation sites, litigation, regulatory compliance, real estate disposition matters, sales of scrap usable materials, and biofuels. He is also the in-house advisor to Boeing's security organization. A former Chief federal environmental civil and criminal prosecutor in New York, Stan is an environmental lawyer and a litigator. Stan was LEED-certified as a green building associate and teaches classes on green building, and he has taught classes on hazardous waste cleanup and lectured on sustainability issues involving air, land, water and products liability. A recent podcast features life lessons and management principles that may be derived from a searing experience Stan wrote about in a memoir called *The Birthday Party*.

Listen Here: goodstory.io/2019/10/08/stanley-alpert/



Darcy Nonemacher

Government Affairs Director, *Washington Environmental Council*

Darcy Nonemacher is the Government Affairs Director at Washington Environmental Council and Washington Conservation Voters, where she works to pass and defend environmental laws and secure public funding for essential programs and projects. Darcy has nearly two decades of experience in environmental law and policy issues including water conservation, renewable energy development, water law, toxic pollution reduction, oil spill prevention, salmon recovery, and public budgeting. She also has extensive experience on labor and environmental justice issues, and she has managed high-profile election campaigns in South Dakota, Ohio, and Florida. Darcy has a B.A. from the University of Connecticut and a J.D. from Seattle University School of Law.



Suzanne (Suzy) Stumpf

Senior Design Engineer, *Farallon Consulting*

Suzy Stumpf has more than 17 years of experience in the environmental consulting and engineering fields. Her experience includes remedial investigation/feasibility study analysis, site characterization, vapor intrusion analysis, remedial system design and implementation, operation and maintenance of remedial systems, budget management, and coordinating large soil excavation projects. Suzy works with clients, regulators, insurance companies, and other stakeholders to prepare cleanup action plans and final reports, and performs third-party reviews of remediation system design and performance.



Calvin (Cal) Taylor

Project Manager, *City of Tacoma*

Calvin Taylor leads federal, state, and local environmental permitting for the Environmental Services Department, City of Tacoma. He holds a MSc in Hydrogeology from the University of North Dakota. He manages operational units 5 and 6 of the Commencement Bay/South Tacoma Channel superfund site, and the soil management program for the portion of the ASARCO Smelter Plume located Tacoma.



Gus Winkes | awinkes@bdlaw.com

Associate, *Beveridge & Diamond*

Gus Winkes focuses his practice on contaminated site cleanup and litigation under CERCLA and state Superfund statutes. He is the deputy for the firm's CERCLA, Brownfields, and Subsurface Contamination practice group. He also advises clients on regulatory compliance and defends enforcement actions under federal and state hazardous waste, water quality, air quality, and climate change laws, and he has experience in natural resource management matters.

Before joining the firm, Gus interned at the Seattle City Attorney's Office, the San Francisco City Attorney's Office, and the Sierra Club. In law school, he served as an editor of the *University of Michigan Journal of Law Reform* and co-founded the *Michigan Journal of Environmental and Administrative Law*. He also served as a teaching assistant for an undergraduate environmental law and policy course.

Read More: bdlaw.com/augustus-e-winkes/



Chris Gregoire

CEO, *Challenge Seattle*; 22nd Governor of Washington

Chris Gregoire is the CEO of Challenge Seattle. Challenge Seattle is an alliance of CEOs from 18 of the region's largest private-sector employers who work together to ensure the greater Seattle area continues to thrive as one of the most vibrant, innovative, and globally competitive regions in the world.

Previously, Chris served as the 22nd Governor of the State of Washington. As Governor, she led the state in health care reform, emphasizing universal children's healthcare. She introduced and passed a plan to create a world-class education system including reducing class sizes, increasing higher education enrollments, establishing a public-private STEM scholarship program, and creating the Department of Early Learning. She was recognized nationally for a program devoted to government efficiency and accountability and she launched a bold plan to save Puget Sound. Governor Gregoire introduced and won a landmark transportation package, which included the replacement of the world's longest floating bridge and the construction of the largest bored highway tunnel. In her second term, she led the state through the worst economic recession in history.

Prior to serving as Governor, Gregoire served as Director of the Washington State Department of Ecology during the passage of the Model Toxics Control Act. Gregoire served three terms as attorney general (1993-2005) and was the first woman to be elected to the position in the State of Washington.



Rod Brown

Partner, *Cascadia Law Group*

Rod Brown's practice focuses on environmental and land use law issues relating to natural resources, transportation megaprojects, energy and other project permitting, hazardous waste, climate change, and pollution control. He founded Cascadia Law Group and its predecessor in 1996. Rod was the principal author of the Model Toxics Control Act, a member of the Washington Department of Ecology work group that drafted the implementing regulations, and member of the MTCA Policy Advisory Committee, which reviewed MTCA for the Washington Legislature and the Department of Ecology.

Read More: cascadialaw.com/people/rodney-brown



Pete Kmet

42nd Mayor of Tumwater, Washington

Pete Kmet is currently serving his 3rd term as Mayor of the City of Tumwater, Washington. Prior to being elected as Mayor, Pete served on the Tumwater City Council for 18 years while working at Ecology. Mayor Kmet wants neighborhoods to have a strong voice at City Hall and is always looking for new ways to encourage citizen participation. Pete was the supervisor of Ecology's Cleanup Program's Policy staff that wrote the first set of MTCA rules in the early 1990's. He led several subsequent rule revisions, including a major rewrite of the cleanup standards that occurred in 2001, and represented the program on legislative revisions to the Act. Pete retired in 2016 from his work as a senior environmental engineer with the Washington State Department of Ecology.



Loren Dunn | ldunn@bdlaw.com

Principal, *Beveridge & Diamond*

Loren Dunn represents regional and national companies at locations throughout the country in environmental regulation and litigation issues. Loren's environmental projects have involved hazardous waste and large multi-party toxics cleanup sites, including marine and freshwater sediment sites, landfills, and natural resource damages claims. He has also conducted extensive work obtaining permits for key facility operations. He has particularly deep knowledge of the following industries: manufactured gas facilities, regulated utilities, smelters and metals refineries, pesticide sites, and large area contamination sites.

Before entering private practice, Loren worked for the U.S. Environmental Protection Agency headquarters office as a senior policy economist. He received an agency merit award for excellent work on the development of the Agency's hazardous waste program and its regulations.

Read More: bdlaw.com/loren-r-dunn/





Allyn Stern | astern@bdlaw.com

Of Counsel, *Beveridge & Diamond*

Allyn Stern brings over 30 years of insider understanding of government operations. Her experience as former Region 10 Counsel at the Environmental Protection Agency (EPA) informs her deep policy, regulatory, and enforcement knowledge. Allyn draws on her breadth and depth of expertise to help clients comply with an array of environmental statutes and regulations applicable to their businesses, including Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) permit approvals, risk management under the Clean Air Act 112(r), civil and criminal enforcement, Superfund cleanup and redevelopment, and pollution prevention strategies.

Allyn's in-depth knowledge of EPA policies and Department of Justice protocols enables her to capably advise clients on their interactions with these agencies. She guides clients through environmental issues arising in business operations, real estate development and permitting, or litigation. She has extensive experience with many environmental statutes, particularly the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), RCRA, and CWA.

Read More: bdlaw.com/allyn-l-stern/