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A Conference on: **SUSTAINABLE PROPERTY TRANSACTIONS:**

Managing Distressed Assets and Renewable Energy Opportunities

May 18 – 20, 2011
Marines' Memorial Club & Hotel
San Francisco, CA USA

**Vapor Intrusion
Focus Session**



RTM Communications, Inc.
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VITAL PRESENTATIONS ON:

- ❖ *Corporate strategies for cleaning up, revitalizing and repositioning surplus properties*
- ❖ *Managing distressed assets and capital for acquisitions*
- ❖ *Resolving bankruptcy and environmental claims for corporate assets*
- ❖ *Facilitating sustainable design and remediation, and the metrics used in site cleanups*
- ❖ *Recent court decisions affecting CERCLA landowner and arranger liability issues*
- ❖ *Trends in commercial real estate and property due diligence markets*
- ❖ *Green building due diligence platforms*
- ❖ *Creative public/private brownfield financing*
- ❖ *Industry perspective on risk based cleanups, entitlement risk, vapor intrusion and mixed use development*
- ❖ *Innovative risk management tools for liability buyouts and guaranteed fixed price remediation transactions*
- ❖ *Emerging issues used in Natural Resource Damages litigation*
- ❖ *Gauging the direction of EPA risk assessment guidelines*
- ❖ *Climate change risk and energy efficiency performance*
- ❖ *Siting renewable energy on brownfields*
- ❖ *Energy disclosure for commercial real estate*
- ❖ *Brownfield redevelopment, continuing obligations and losing BFPP status*
- ❖ *EPA's Integrated Cleanup Implementation Plan*
- ❖ *State of environmental insurance marketplace*
- ❖ *Exploring new development in brownfields, cleanfields and brightfields and financing opportunities*
- ❖ *Practical approaches to vapor intrusion and new development*
- ❖ *Building energy performance assessment standard and emerging best practices*
- ❖ *Better Buildings Initiative for energy efficient commercial buildings*
- ❖ *EPA use of science in assessing environmental risks/setting cleanup standards*
- ❖ *Dioxin and urban renewal of brownfields*
- ❖ *Structuring fully integrated sustainable property development using renewable energy techniques for municipal and commercial properties*

SUSTAINABLE PROPERTY TRANSACTIONS:

Managing Distressed Assets and Renewable Energy Opportunities

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Vapor Intrusion Focus Session

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If there is one conference you can attend this year in this recovering economy, this is the ONE that will allow practitioners the insights to manage distressed real estate assets and opportunities and bring value through sustainable development.

Managing distressed corporate assets and other non-performing property involving environmental contamination, as well as navigating the acquisition and sustainable development of these type properties, is the focus of this conference. Currently there are over 8,000 commercial and industrial properties nationwide considered distressed or under the care of a lender. But there is a growing mix of barometers that indicate commercial and industrial real estate markets are stabilizing. There are half a million to a million brownfield sites that require cleanup and redevelopment. The cautious liquidity in the debt and equity markets has forced a halt to or the slowing of many a deal, and the construction or retrofitting of numerous commercial and industrial sites, including brownfield sites. But commercial and industrial real estate markets and values are improving depending on location, market conditions/demand and those externalities that bring value to real property.

Day One of this conference covers industry trends on real estate, due diligence and capital markets, then EPA's use of science in assessing environmental risk and setting cleanup standards at industrial properties. We will transition to address whether property owners can be comfortable relying on the self-imposing aspect of the *bona fide prospective purchaser* defense under CERCLA. Can property owners stage development without running the risk of violating their continuing obligations and therefore losing the BFPP status? Day Two covers topics such as the retrofitting of buildings to green, energy disclosure requirements and the use of sustainable remediation of contaminated sites. We will tackle the lessons learned and integrate risk management techniques needed for resolving bankruptcy issues and environmental claims; we will also explore the emerging role of Environmental Response Trusts for managing the remediation and redevelopment of former corporate bankruptcies.

Green building due diligence, mandatory green building codes for energy disclosure and water conservation, as well as renewable energy technologies and sustainable remediation techniques for contaminated sites, are beginning to demonstrate measured value in the form of increased net operating income, improved building efficiencies and property values, and the protection of public health and environmental welfare. The associated emerging best practices are central to benchmarking, rating and ranking of buildings, site cleanups and redevelopments. The challenges are before us: buildings account for 39% of total energy consumption, 71% of electricity consumption, and 40% of CO₂ emissions. Building energy performance assessment is critical to capture and standardize energy use and cost in order to support sustainable property return on investment.

The credit crisis and increased cost of capital, coupled with the availability of strong corporate cash flow, are encouraging creative approaches to realizing opportunities, from bankruptcy auctions, to retrofitting buildings green, to holistically integrating back to the grid, renewable energy technologies on brownfield sites and other nonperforming or distressed assets.

Attend this San Francisco conference and acquire the information needed to take advantage of the business opportunities evolving from the sustainable property transaction marketplace. The goals of this San Francisco conference are for you to become better equipped to mitigate your transactional and legacy risks and facilitate sustainable site redevelopments. This exciting and value-added informative conference will host some of the industry's most effective practitioners and participants in their respective fields. Please visit us at www.rtmcomm.com for more details about the conference. You can register and pay online at www.rtmcomm.com.



DAY ONE – May 18, 2011

- 7:30 - 8:15** **Registration and Continental Breakfast**
- 8:15 - 8:30** **Conference Overview and Objectives**
Dean Jeffery Telego, Conference Chairman & President, Risk Management Technologies, Inc. & RTM Communications, Inc.
- 8:30 – 9:10** **KEYNOTE--Managing Distressed Assets, Acquisitions and Sustainability in The New Normal**
Jennifer Hernandez, Partner, Holland & Knight LLP
- 9:10– 9:45** **Challenges and Strategies Facing Public/Private Financing of Contaminated Property – A National Perspective**
- ❖ Public-Private redevelopment climate and business opportunities
 - ❖ Availability of tax incentives and rehab tax credits
 - ❖ Availability of public sector energy efficiency and renewable energy technology programs
 - ❖ Interagency partnership and linkage
- Charles Bartsch, Senior Program Advisor for Economic Development, OSWER, US EPA*
- 9:45 – 10:15** **Case Law Transforming Business and Real Estate Transactions**
- ❖ *Ashley II of Charleston LLC v. PCS Nitrogen Inc.* and its progeny
 - ❖ Can property owners comfortably rely on the self-implementing aspect of the BFPP?
 - ❖ Can property owners stage development without running the risk of violating their continuing obligations and therefore losing the BFPP status?
 - ❖ Liability associated with moving dirt during construction
 - ❖ What can developers do during staging and construction to minimize their liability?
 - ❖ What should foreclosing lenders do to stabilize sites to ensure BFPP status?
- Lawrence Schnapf, Principal, Schnapf Law Office*
- 10:15 – 10:30** **BREAK Refreshments Courtesy of BNA/EDDG**
- 10:30 - 11:00** **Innovative Building and Land Management Involving Contaminated/ Industrial Development Projects— The New Normal**
- ❖ Structuring the transaction, removing contingent liabilities
 - ❖ Life of a deal, initial feasibility analysis, budgeting for uncertainties
 - ❖ Due diligence investigations, approvals, entitlements, land development interests
 - ❖ Exploring brownfield incentive programs/buy-in from regulators
 - ❖ Insurance coverages and structuring a comprehensive indemnity financial assurance program
 - ❖ Integrating sustainable development in major development projects
 - ❖ Pan Cal, CalSTRS and Panattoni joint venture focused on commercial and industrial properties
 - ❖ Challenges with confronting vapor intrusion and energy efficiency in development projects
- Guillermo (Willy) Accame, Environmental Director, Panattoni Development Company, Inc.*

11:00 – 12:00 State of Commercial Real Estate Industry, Capital Markets and Due Diligence Trends

- ❖ Emerging transactions and real estate trends in brownfield redevelopment market
- ❖ Credit crunch, current business environment and economic market metrics
- ❖ Commercial real estate market fundamentals and trends
- ❖ Latest trends in commercial real estate lending and loan losses/distressed asset deals
- ❖ Web-based tools to fundamentally change the way contaminated property is managed
- ❖ Environmental business risk and due diligence trends

Matthew Anderson, *Managing Director, Foresight Analytics*

Douglas Elenowitz, *Partner, EFG Brownfield Partners, LLC*

Dean Jeffery Telego, *Executive Co-Director, Environmental Bankers Association (Moderator)*

LUNCHEON Hosted by BNA Environmental Due Diligence Guide, XL Insurance-Environmental and ELT, Inc.

12:00 - 1:30 State of the Environmental Insurance Marketplace

Richard Corbett, *President & CEO, XL Insurance-Environmental*

1:30 – 2:15 EPA Use of Science and Uncertainty in Assessing Environmental Risks and Setting Cleanup Standards

- ❖ Trends in recent EPA assessment of the hazards associated with CERCLA hazardous substances
- ❖ Implications of EPA risk assessment approach for CERCLA and RCRA corrective action cleanup standards
- ❖ Use by EPA of Preliminary Remediation Goals (PRGs) as Final Cleanup Standards
- ❖ Case Study: Revised Interim PRGs for Dioxin in Soil
- ❖ Information Quality Act challenges to flawed agency use of science

Karl Bourdeau, *Principal, Beveridge & Diamond, P.C.*

2:15 – 3:15 Distressed Asset Deals and Environmental Risk Management Strategies for Getting the Best Value—Beauty and the Beast with a Fork in the Road

- ❖ Seller and buyer perspective on up-front deal analysis
- ❖ New diligence tools and site considerations
- ❖ Transaction structure and liability management from seller perspective
- ❖ Liability management and structure alternatives
- ❖ Underlying considerations and financial assurance

Mary Schulz, *VP Environmental Risk, GE Capital Solutions*

David Mueller, *Senior Managing Attorney, CNH America LLC*

Bob Hallenbeck, *Sr. Vice President, XL Insurance-Environmental*

Jon S. Brooks, *Partner, Phillips Nizer, LLP*

Julie Kilgore, *Principal, Wasatch Environmental, Inc.*

Randall Jostes, *CEO and President, Environmental Liability Transfer, Inc.*

Anthony Wagar, *Senior Vice President, National Sales Leader Willis Environmental Practice (Moderator)*

**3:15 – 3:30 BREAK Refreshments Courtesy of EFG Brownfield Partners, LLC and Holland & Knight LLP
A chance to network**

3:30 – 4:00 Acquiring Distressed Assets from New Deal Flow and Impaired Real Estate Assets in Bankruptcy

- ❖ Environmental liability acquisition and redevelopment of contaminated corporate real property
- ❖ Holistic approach to evaluating property condition, transaction structure and liability issues
- ❖ Integrating acquisition, remediation, redevelopment and sale leaseback on acquisitions
- ❖ Drafting underlying remediation contracts and maximizing balance sheet tax benefits
- ❖ Guaranteed fixed price remediation and liability transfer programs
- ❖ Trends in due diligence and valuation
- ❖ Case Study--ASARCO Models, General Motors sites, etc.

Randall Jostes, *CEO and President, Environmental Liability Transfer, Inc.*

4:00 – 4:45 Retrospective and Lessons Learned: Environmental Response Trust Agreement for Motor Liquidation Company Sites

- ❖ U.S. Treasury trust fund, largest environmental and economic development effort on manufacturing sites
- ❖ Federal agencies and states negotiating the remediation of 90 sites
- ❖ Structuring and conducting the review of hundreds of former GM properties, cleanup cost estimates in 14 States
- ❖ Managing site cleanups/redevelopments
- ❖ Planning the economic development of shuttered auto facilities

James Redwine, *VP Environmental, Motor Liquidation Company*

Mary Hashem, *Executive Vice President, EFG Brownfield Partners, LLC, an EnviroFinance Group Co.*

David Mc Murtry, *President, Mc Murtry & Associates*

4:45 – 5:45 Emerging Issues in Natural Resource Damages (NRD) Litigation

- ❖ CERCLA and OPA statutory authority
- ❖ Notification and coordination of roles and requirements
- ❖ NRD assessments and restorations
- ❖ Challenges in measuring valuations and restoring natural resources to baseline conditions
- ❖ Recent results from NRD litigation in New Jersey – trials and tribulations

Laurence S. Kirsch, *Partner, GoodwinProcter, LLP*

Margaret Lattin Bazany, *Senior Counsel, Dow Chemical Company*

6:00 - 7:30 RECEPTION Hosted by Willis Environmental Practice and Environmental Data Resources, inc. (EDR)

DAY TWO – May 19, 2011

8:30 - 9:00 Building Brightfields

- ❖ Renewable energy on brownfields—(municipal landfills & industrial sites)
- ❖ Solar installation and life cycle analysis—permitting, designs, financing commercialization and construction
- ❖ Tax incentives and solar renewable energy credits

Pete Pedersen, *Managing Principal, Renova Partners, LLC and Brightfields Development, LLC*

9:00 – 9:30 Unbundling Innovative Renewable Energy Deals

- ❖ Deal structures using a Power Purchase Agreement

- ❖ Photovoltaic systems sold directly to the grid either to local utilities, electric co-ops or to down stream renewable energy purchasers
- ❖ Financial engineering approach from site selection, feasibility studies to installation and local green building laws/codes, mandatory disclosure and energy conservation, performance based contracting

Stuart L. Smits, *President, Citizen Green Energy, LLC*

9:30 – 10:30 West/East Coast Perspectives: Commercial Redevelopment in an Era of Green Building Performance and Sustainable Development

- ❖ Conducting business in the context of climate risk mitigation
- ❖ Paradigm shift – institutional/engineering controls on commercial real estate through project specific district fees or tax assessments, covenants for stormwater controls
- ❖ Climate change risk and the metrics and tools of environmental due diligence
- ❖ Overlapping and intersecting issues involving environment, land use and green building/sustainable development
- ❖ Use of Property Assessed Clean Energy Act for commercial properties and regulatory tax incentives to support green retrofits
- ❖ Energy efficiency requirements for commercial real estate on a national scale
- ❖ State and local green building laws/codes, mandatory energy disclosure of use and cost data, energy conservation platforms

Amy L. Edwards, *Partner, Holland & Knight LLP*

Nicholas Targ, *Partner, Holland & Knight LLP*

10:30 - 10:45 BREAK Refreshments Courtesy of ELT, Inc. and Willis Environmental Practice

10:45 – 11:15 Monetizing the Value of Sustainable Development & Certifications

- ❖ What sustainable buildings mean for commercial real estate
- ❖ CRE Industry Survey findings and trends influencing sustainability
- ❖ CB Richard Ellis Market Survey, key findings and attitudes about sustainability
- ❖ Key findings about corporate and tenant demands and trends

Dave Pogue, *LEED AP, National Director, Sustainability, CB Richard Ellis*

11:15 – 12:00 Case Studies for Green Building Due Diligence & Disclosure

- ❖ Legal, energy and sustainability drivers in a commercial real estate transaction
- ❖ ASTM E2797-11 Building Energy Performance Assessment Standard
- ❖ Rating and benchmarking standards for green buildings (LEED, CMP, ENERGY STAR, ASHRAE)
- ❖ Sustainable property underwriting guidelines and platforms (i.e., Sustainable Real Estate Manager Software)

Brian McCarter, *Chairman & CEO, Sustainable Real Estate Solutions, Inc. (SRS)*

Rita Rausch, *VP & Sr. Sustainability Officer, Comerica Bank*

LUNCHEON Hosted by, EFG Brownfield Partners LLC Holland & Knight LLP and Langan Engineering & Environmental Services, Inc.

12:00- 1:30 Sustainable Development Reforms and Climate Change Litigation Affecting Business and Real Estate Transactions in California and Beyond

Richard Faulk, *Partner & Chair, Litigation Department, Gardere Wynne Sewell, LLP*

1:30 – 2:30 Panel on Insider’s Perspective on the Challenges and Opportunities of Divesting Surplus Industrial Properties

- ❖ Corporate strategy and tools for dealing with legacy industrial properties

- ❖ Refining the liability management strategy, repositioning the asset/liability, determining realistic pricing in current market conditions
- ❖ Industry challenges to avoiding comebacks and long-term stewardship issues
- ❖ Applying sustainable development to performing and non performing assets
- ❖ Implementing creative deal structuring during credit/liquidity crisis

James T. Schaeffer, *Manager, Real Estate and Remediation, BP/Atlantic Richfield*

Marian E. Whiteman, *Senior Remediation Counsel, General Electric Company*

Bart Wilking, P.E., *Manager Environmental Remediation, El Paso Corporation*

Chris Olson, *CardnoENTRIX, Senior Consultant, Land Asset Management, Former Manager of Real Estate Reuse and Remediation Management, BP (Moderator)*

2:30 - 3:30 Panel on Brownfields and Municipal Government: Challenges & Sustainability Solutions

- ❖ Brownfields challenges unique to municipal government
- ❖ Reflections on current issues such as entitlement risk, the role and power of local government, NGOs in the brownfields process and GHG connections
- ❖ Integration of environmental, economic and social sustainability in planning and implementation and institutional controls
- ❖ Financing—securing financing for investigation, cleanup and redevelopment
- ❖ City roles in structuring brownfield programs, use of Polanco Act
- ❖ Development Agencies: Miraflores, San Francisco (Treasure Island), Mission Bay and Emeryville Projects

Ignacio Dayrit, *Director, Center for Creative Land Recycling, formerly Project Director City of Emeryville*

Michael Tymoff, *San Francisco Office of Economic and Workforce Development*

Seth Hamalian, *Managing Principal, Mission Bay Development Group, LLC*

Nicholas Targ, *Partner, Holland & Knight LLP (Moderator)*

3:30 – 3:45 BREAK Refreshments Courtesy of Langan Engineering & Environmental Services, Inc. and commonground A chance to network and review exhibits

3:45 – 4:30 Economic Revitalization of Former Schlage Lock Factory and Southern Pacific Railroad Site

- ❖ Evolution of Visitation Valley Project, a mixed use urban community from a former brownfield site
- ❖ Public participation plan, remedial action plan, demolition and site cleanup
- ❖ Constructing public/private financing entitlements and sustainable redevelopment plan

Mary Hashem, *Executive VP, EFG Brownfield Partners, LLC*

Barbara Cook, *Acting Assistant Deputy Director, Department of Toxic Substance Control, Cal EPA*

Jonathan Scharfman, *General Manager and Land Development Director, Universal Paragon Corporation*

4:30 – 6:00 Sustainable Remediation Tools and Techniques for Integrating Sustainable Principles, Practices and Metrics into Site Cleanup Projects

- ❖ Incorporating sustainable design into decision-making and remediation projects
- ❖ Using sustainability assessment tools to measure environmental footprint, resource consumption and occupational risk
- ❖ Case studies demonstrating sustainable designs incorporating energy efficiency, maintainability and value through life cycle cost analysis, etc.
- ❖ Sustainable Remediation Forum (SURF)—future direction
- ❖ Beyond the carbon footprint to triple bottom line remediation practices
- ❖ Perspectives on renewable energy and financing opportunities on brownfields

Stewart Abrams, *Associate, Langan Engineering & Environmental Services, Inc.*

Rusty Bishop, *Green Remediation/Communication Coordinator, US EPA Region 9 Superfund*

Lawrence Schnapf, *Principal, Schnapf Law Office (Moderator)*

DAY THREE – May 20, 2011

FOCUS SESSION

VAPOR INTRUSION AFFECTING SUSTAINABILITY, SITE REMEDIATION AND REDEVELOPEMENT PROJECTS

All types of sites can be affected by vapor intrusion (VI), especially those that have petroleum or solvent related contamination. Vapor intrusion has become a potential loss exposure and business environmental risk for those who own, purchase, remediate or redevelop contaminated or previously tainted property. Brownfield sites, and other commercial and industrial properties are logical candidates for VI based on their history of former use affecting soils and ground water. Increased litigation and regulatory action against site owners, developers and environmental professionals among others, have increased the concern about public health risk and devaluation of property values caused by vapor intrusion. These are both practical approaches to dealing with vapor intrusion and new developments and the overlapping issues of energy efficiency and vapor intrusion in retrofitting buildings. Whether you are an environmental professional, prospective buyer/developer, seller, site owner, lender or insurer, virtually all stakeholders in a real property transaction can be adversely affected by vapor intrusion.

With most state voluntary cleanup programs using risk-based cleanup standards and institutional controls, it is important that responsible parties and their consultants involved in site investigation, cleanup and redevelopment consider vapor intrusion pathways. Twenty-six states currently have VI regulatory guidance. One of the challenges to the use of risk-based cleanups and institutional controls is vapor intrusion reopening once - closed sites. So what are the scientific and engineering challenges with understanding and managing the vapor intrusion exposure? What are the most effective tools, test methods and mitigation systems being used to manage or eliminate this risk? What is the current litigation and case law driving property owners, developers or environmental professionals to manage or transfer this risk? How is the lending and development community using the new ASTM E 2600-10 Vapor Encroachment Guidance?

This vapor intrusion focus session shall address these topics among others: 1) challenges, evolving science, practical approaches and legal implications confronting owners and developers and other stakeholders about the VI concerns involving new development and retrofitting buildings, 2) the challenges with embracing the ASTM guidance and affect on CERCLA due diligence and continuing obligations; 3) USEPA and state guidance and other industry standards and practices on real estate transactions; 4) the effective use of environmental due diligence, screening evaluations and modeling of the exposures and the use of remedial alternatives and mitigation systems/barriers to either cleanup or manage sites contaminated by chlorinated VOCs and petroleum; and 5) case law and recent litigation affecting buyers, sellers and environmental consultants performing the investigations and site cleanups.

8:30 – 9:15 Vapor Intrusion (VI)—a Regulatory and Scientific Perspective of Current Activities and Knowledge

- ❖ Recent update to USEPA Vapor Intrusion Guidance for VOCs and petroleum contamination
- ❖ Public health issues and updated toxicity values and use of multiple lines of evidence for determining VI risk
- ❖ Possible revisions to the Hazardous Ranking System for sites with VI as a potential pathway
- ❖ Conceptual model scenarios for the vapor intrusion pathway

Henry Schuver, DrPh., *RCRA Corrective Action Office, U.S. EPA*

Lilian Abreu, PhD., *Project Chemical Engineer, ARCADIS Corp.*

9:15 – 10:00

Vapor Intrusion Assessment and Mitigation Methods

- ❖ How is vapor intrusion assessed? What are the environmental factors affecting transport?
- ❖ Site specific modeling to screen out certain site conditions
- ❖ Risk-based screening methods for indoor chemical vapors
- ❖ Designing site investigations and remedial alternatives
- ❖ Applications of advanced techniques using risk-based targets
- ❖ Vapor mitigation, design strategies and barriers
- ❖ Case studies focusing on screening, remedial alternatives and closure strategies for sites contaminated by chlorinated VOCs

Brian A. Blum, *Associate, Langan Engineering & Environmental Services, Inc.*

Jeff Ludlow, *Vice President/Senior Associate, Langan Engineering & Environmental Services, Inc.*

10:00 -10:15

BREAK Refreshments Courtesy of RTM, Inc., and Langan Engineering & Environmental Services, Inc.

10:30 – 12:00

Panel on Challenges Facing Owners, Developers, Communities and Environmental Professionals from Vapor Encroachment/Intrusion in Real Estate Transactions

- ❖ Practical approaches to dealing with vapor intrusion, new development and retrofitting buildings and energy efficiency
- ❖ Validity of screening methods and the environmental site assessment process
- ❖ Developing a sound and defensible technical approach
- ❖ Multi-tier protocol for screening potential for VI exposure and selecting the most appropriate mitigation system
- ❖ What are the continuing obligations if a Phase II is requested after a REC has been determined for a VEC?
- ❖ Current vapor intrusion litigation and case law affecting owners, developers and environmental professionals

Edward L. Strohbehn, Jr., *Partner, Bingham McCutchen, LLP*

Richard Opper, *Principal, Opper and Varco*

Lenny Siegel, *Executive Director, Center for Public Environmental Oversight*

Willy Accame, *Environmental Director, Panattoni Development Company, Inc.*

Lawrence Schnapf, *Principal, Schnapf Law Office (Co-Moderator)*

Dean Jeffery Telego, *Executive Co-Director, Environmental Bankers Association (Co-Moderator)*

12:00

Conference Summation, **Dean Jeffery Telego**, *President, RTM Communications, Inc.*



RISK MANAGEMENT TECHNOLOGIES, INC.

Risk Management Technologies, Inc., (RTMI) is a dynamic, innovative environmental risk management consulting firm that provides full-service, multi-disciplinary capabilities in environmental risk management as applied to business and real property transactions. RTMI also performs strategic market planning, government relations, expert testimony, regulatory analysis, and risk and insurance management consulting services to industrial and financial services companies. RTMI offers services in environmental risk management consulting, including due diligence and remediation oversight, environmental finance and environmental risk management conferences, training and publishing, and association management (Environmental Bankers Association). Learn more at www.rtmcomm.com or www.envirobank.org or www.riskmanagementtech.com

XL INSURANCE

The XL Insurance companies are global providers of risk management solutions for leading industrial and commercial businesses. As members of the XL Group plc, we offer a broad portfolio of insurance products and related services including property, casualty, professional and specialty coverages. XL's Environmental Group focuses on brownfields redevelopment projects, military base redevelopment, contaminated property remediation, real estate transactions, and fixed facilities and is an acknowledged leader in the environmental insurance market. To learn more about the Environmental Group, visit our website at www.xlinsurance.com/environmental.



Environmental Liability Transfer (ELT) is a comprehensive environmental liability and real estate acquisition company providing its clients complete and final environmental liability transference. By combining superlative expertise in the areas of environmental law, environmental insurance, environmental engineering, corporate indemnification and real estate redevelopment, ELT offers unique and unparalleled economic solutions for absolute transfer and removal of environmental liabilities. www.eltransfer.com

Willis

Willis Environmental Practice

The Willis Environmental Practice is the industry leader in environmental risk management for Brownfields redevelopment. The Willis Practice is comprised of seasoned, senior, professional staff located in regional offices across the world with nearly 90 people in over 20 countries. Our Practice in the US alone encompasses over 50 specialists in 25 cities. Our highly qualified global practice teams have extensive "hands-on" experience in environmental engineering and science, law, finance, environmental risk identification and quantification, and environmental insurance design and placement. We focus our technical and business skills, first, to fully understand and evaluate our clients' environmental needs and second, to develop customized environmental insurance solutions to their full range of environmental risk exposures.



Environmental Data Resources, Inc. (EDR) is the nation's leading national provider of environmental risk services and related workflow solutions in the United States. Founded in 1990, the company provides reports, subscription services and other solutions to help its customers reduce environmental risk. With over 46 million property records, EDR has the most comprehensive database of environmental and historical land use information. We have unique offerings for environmental professionals. For more information, visit www.edrnet.com.

LANGAN

ENGINEERING & ENVIRONMENTAL SERVICES

Langan is a premier land development, redevelopment and environmental consulting firm that supports corporations, private developers, public agencies, property owners and institutional clients around the world. Founded in 1970, Langan employs more than 570 professionals in 19 domestic and international offices. Our core geotechnical, site/civil and environmental disciplines provide a one-stop source for: due diligence and site feasibility; environmental remediation; infrastructure design; sustainability; and complex Brownfield redevelopment projects. Langan's comprehensive technical resources include: remedial engineering and remedy selection; geology, hydrogeology, and geochemistry; data management and visualization; 3-D laser scanning/BIM; natural resources permitting; and broad regulatory understanding. Recently, Langan acquired **Treadwell & Rollo**, a nationally recognized environmental, geotechnical, and earthquake engineering consulting firm serving private and public clients throughout California and beyond. www.langan.com

Holland & Knight

Holland & Knight is a global law firm with more than 1,000 lawyers located in 18 U.S. offices, as well as Abu Dhabi, Beijing, and Mexico City. The firm specializes in all aspects of law, including environmental, land use and entitlements, real estate, base closure, federal grants, tax-increment financing, and budget and appropriations. In the environment and land use area, our comprehensive environmental experience includes Brownfields redevelopment; climate change; "green building" issues; environmental insurance; permit approvals; NEPA and state equivalent reviews; and wetlands and natural resources. In 2010, a survey of more than 300 corporate counsel and C-level executives at Fortune 1000 companies ranked Holland & Knight as one of the nation's top 30 performing law firms in the area of client service.



BNA, Inc. is a leading publisher of print and electronic news and information, reporting on developments in environmental protection, safety, health care, business, labor relations, law, economics, taxation, public policy and regulatory issues. BNA produces more than 200 news and information services. *BNA's Environmental Due Diligence Guide* is a comprehensive reference service that provides a complete picture of the environmental risks involved in contaminated property transactions, and ways to reduce or avoid those risks. It also keeps on top of the latest developments in the commercial real estate industry, at EPA, in the courts, and in Congress and includes comprehensive discussion of brownfields redevelopment and summaries of state-specific environmental laws that can affect real property transactions. The *Guide*, which is available both in print format and on the Web, includes monthly updates to its reference service, a monthly newsletter, and weekly email memos. www.bna.com/products/ens/eddg.htm



Brownfield Partners, LLC and EnviroFinance Group, LLC (EFG) recently formed EFG Brownfield Partners, LLC, and a brownfield development powerhouse combining expertise in real estate, development, risk management, and finance. With the transaction, EFG's properties, capital base and infrastructure combines with Brownfield Partners' best-in-class environmental, risk management and land reuse experience to fill the void in brownfield development created by the recent recession. EFG Brownfield Partners invests in and manages environmentally challenged middle-market development projects across the country, augmenting and benefitting from EFG's renewable energy business. By expanding its established renewable energy technologies and LEED expertise into its development projects, EFG Brownfield Partners is a uniquely positioned, "Brown-to-Green" environmental organization. In addition to its own development projects, the new enterprise also provides development and consulting services to industrial companies, remediation trusts, receivers, other brownfield property owners and / or responsible parties which need to mitigate environmental liabilities and maximize values. The firm facilitates and enables neighborhood revitalization, returns blighted properties to productive use, and increases local tax revenues in communities across the United States.



Commonground is the award winning, global community for environmental and commercial real estate professionals. With over 6,000 members from over 3,200 companies worldwide, 17,000 discussion posts, blogs and comments, environmental services provider directory, commonground university online training, news and job board, commonground has become the web destination for professionals involved in property transactions. Join the many environmental consultants, attorneys, lenders, appraisers, environment health & safety professionals, industry leaders, and market experts who have connected through commonground for access to their peer insights, market trends, and new business opportunities. Become a commonground member for free today at <http://commonground.edrnet.com>.

INFORMATION

HOTEL INFORMATION

Marines' Memorial Club and Hotel

609 Sutter St.

San Francisco, CA 94102

Tel: (800) 562-7463 or 415-673-6672

Send an email to reservations@marineclub.com

RTM has been able to negotiate a **\$169.00** room rate, including full American breakfast and a nightly, two-hour hosted cocktail reception, both in the rooftop restaurant. Our room block closes May 4, 2011. The hotel is in full compliance with the Americans with Disabilities Act, has complimentary wireless in all guestrooms, and a fitness center on property. A room reservation at the hotel is required to register at the Early Bird Registration price, but your conference registration does not include hotel costs. If you will not need a hotel because you are local to the San Francisco area, you can still register at the Early Bird discounted price.

CLE

RTM also offers Continuing Legal Education Credits **if you inquire 65 days in advance and prepay the fees**. We have applied only to **California** as a courtesy, but we must notify each State 60 days in advance and meet all their

individual requirements. We cannot apply after the fact; it will become your responsibility. Look for the sign-in/sign-out sheets at Conference Registration and pick up your Certificate of Attendance as you leave the conference.

GENERAL INFORMATION

Included in the registration fee will be refreshments each day, as well as two lunches with a speaker, and a reception the evening of Day One. Each attendee will receive a comprehensive Conference Proceedings. Time will be allowed after each speaker or panel for questions from the audience. **Willis Environmental Practice** and **Environmental Data Resources, Inc. (EDR)** will host the reception, held the evening of May 18, 2011. It will include refreshments and a chance to network with speakers and other attendees.

CANCELLATIONS

All cancellations must be in writing and be postmarked by April 22, 2011, to avoid a service charge of \$595.00. No refunds or credits will be given for cancellations received after April 22, 2011. Registrants who have registered and/or signed this form (hard copy or electronic) and who do not cancel before April 22, 2011 in writing are liable for full registration fee; however, you may send a substitute. Hotel reservations must be cancelled directly with the Marines' Memorial Club and Hotel.

SUSTAINABLE PROPERTY TRANSACTIONS: MANAGING DISTRESSED ASSETS & RENEWABLE ENERGY OPPORTUNITIES

SUSTAINABLE PROPERTY TRANSACTIONS : MANAGING DISTRESSED ASSETS & RENEWABLE ENERGY OPPORTUNITIES will provide attendees with expert insights into buyer/seller, lender, investor, owner, developer, insurer and corporate perspectives on contaminated real property transactions and sustainable redevelopment issues. Key presentations will cover:

- ❖ ***Corporate strategies for cleaning up, revitalizing and repositioning surplus properties***
- ❖ ***Resolving bankruptcy and environmental claims for corporate assets***
- ❖ ***Facilitating sustainable design and remediation, and the metrics used in site cleanups***
- ❖ ***Recent court decisions affecting CERCLA landowner and arranger liability issues***
- ❖ ***Green building due diligence platforms and building energy performance assessments***
- ❖ ***Innovative risk management tools for liability buyouts***
- ❖ ***Emerging issues used in Natural Resource Damages litigation***
- ❖ ***Siting renewable energy on brownfields and energy disclosure for commercial real estate***
- ❖ ***Brownfield redevelopment, continuing obligations and losing BFPP status***
- ❖ ***Exploring new development in brownfields, cleanfields and brightfields and financing opportunities***
- ❖ ***Practical approaches to vapor intrusion (VI) and new development; implications of VI and HRS***
- ❖ ***EPA use of science in assessing environmental risks/setting cleanup standards***
- ❖ ***Structuring fully integrated sustainable property development using renewable energy techniques for municipal and commercial properties***

This hands-on conference is vital for:

Corporate Counsel and Real Estate Attorneys,
Corporate EH&S Officer/Managers,
Chief Operating Officers,
Chief Financial Officers,
Corporate Property Managers,
Corporate Risk Managers and Real Estate Officers,
Chief Credit Policy and Investment Banking Officers,
Commercial and Institutional Lenders/Investors,
Bank Workout/OREO Officers,
Industrial Finance Corporation Officers,
Investment Bankers/Venture Capital Firms,
Green Building Developers,

Environmental, Real Estate, Bankruptcy Lawyers,
Brownfield Redevelopment Firms,
Life Insurance Finance Company Executives,
Real Estate Investors, Developers and Brokers,
Environmental Consultants and Remediation Companies,
Renewable Energy Developers,
Environmental Insurance Underwriters/Bankers,
City & County Managers,
Economic Development Agency Officials,
Federal and State Government Officials,
Sustainable Property Investors,
Energy Engineers/Auditors.



RTM Communications, Inc.
510 King Street, Suite 410
Alexandria, VA 22314



**SUSTAINABLE PROPERTY TRANSACTIONS:
Managing Distressed Assets and
Renewable Energy Opportunities**

May 18, 19, 20, 2011

Marines' Memorial Club & Hotel

609 Sutter St., San Francisco, CA 94102

Sponsored by:

- XL Insurance-Environmental
- BNA Environmental Due Diligence Guide (EDDG)
- Environmental Data Resources, Inc., (EDR)
- Environmental Liability Transfer, Inc.
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- EFG Brownfield Partners, LLC
- Langan Engineering & Environmental Services, Inc.
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**SUSTAINABLE PROPERTY TRANSACTIONS: Managing Distressed Assets
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REGISTRATION: RTM's economic stimulus offering

Early Bird until April 20, 2011, requires a room at the conference hotel	\$725 _____
After April 20, or a room at another hotel	\$850 _____
Group Rate for 3 or more	\$650 _____
Government Employee	\$475 _____
One Day Registration	\$425 _____
Registration at the door	\$950 _____

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or call **1/800 9 NO RISK, 1-800-966-7475** to Register

Register and Pay online at www.rtmcomm.com

Payment Policy: All payments must be received by **May 13, 2011**. Payments can be made by check or by credit card either on the phone or online at www.RTMCOMM.COM. Please make checks payable to RTM Communications, Inc. and write on the face of the check the name(s) of the attendee(s) as well as the RTM confirmation number if you received one in advance. If payment has not been received prior to the conference date, a personal credit card or check will be required at the door to gain entry; it will be processed 5 days following the conference if official payment is not received in our office before then.

We would rather e-mail this information and save a few trees, but if we do not have an e-mail address for you, please go to the website www.rtmcomm.com and click on the **Join Tab** if you would prefer e-mail to this paper brochure.