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

RECONFIGURING THE BUSINESS OF CONTAMINATED SITE REDEVELOPMENTS

October 28, 29, 30, 2009 • Marines' Memorial Club & Hotel
San Francisco, CA USA



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Vital presentations on:

- ❖ *Managing distressed assets and repositioning environmental capital in a downturned economy*
- ❖ *Restructuring due diligence for workouts and foreclosures*
- ❖ *Resolving bankruptcy and environmental claims affecting corporate assets*
- ❖ *Corporate strategies for cleaning up, revitalizing and repositioning moth-balled manufacturing sites*
- ❖ *Measuring the effect of sustainability on commercial real estate and brownfield projects*
- ❖ *Implementing alternative due diligence standards for corporate acquisitions and divestitures in a challenged economy*
- ❖ *Facilitating sustainable design and remediation, establishing the metrics used in site cleanups*
- ❖ *Recent Supreme Court decisions affecting CERCLA landowner liability issues and business and real estate transactions*
- ❖ *Mastering and surviving the credit market impacts on real estate cycles*
- ❖ *Green building underwriting standards and real estate valuations*
- ❖ *Building energy performance labeling and disclosure*
- ❖ *Updates on climate change and energy efficiency legislation*
- ❖ *Enforcement of institutional and engineered controls for closed sites*
- ❖ *State reforms, tax energy credits, and grants addressing brownfield redevelopments*
- ❖ *Industry perspective on risk based cleanups, vapor intrusion and residential development*
- ❖ *Innovative risk management tools for liability buyouts and guaranteed fixed price remediation transactions involving sustainable project development*
- ❖ *Recent vapor intrusion case law and cleanups impacting transactions*
- ❖ *Green buildings, sustainable developments issues on brownfield sites*
- ❖ *Turning corporate sustainability into financial advantage*
- ❖ *Structuring a fully integrated sustainable property development*
- ❖ *East/West coast perspectives on climate change risk and brownfield redevelopment*
- ❖ *Monetizing carbon finance assets in real estate transactions*

SUSTAINABLE PROPERTY TRANSACTIONS:

RECONFIGURING THE BUSINESS OF CONTAMINATED SITE REDEVELOPMENTS

October 28, 29, 30, 2009 • Marines' Memorial Club & Hotel • San Francisco, CA USA

If there is one conference you can attend this year in this challenging economy, this is the ONE that will allow practitioners to identify opportunities and move forward on sustainable site redevelopments.

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 not for the faint of heart. Empower yourself with legal, financial, technical, risk management and sustainable development tools and immerse yourself in three days of challenging and thought-provoking debate, networking, presentations and panel discussions.

In the wake of this downturned economy, the continued credit and liquidity crisis is driving practitioners to incorporate more rigorous environmental risk management and due diligence techniques and sustainable development practices into business and real estate transactions. The economic meltdown has resulted in an increase in non-performing and brownfield type sites. The credit crisis and increased cost of capital are encouraging creative approaches to the brownfield redevelopment transactions.

Attend this conference and acquire the tools to identify the business opportunities as well as fine-tune your skills to bracket, reduce or transfer the risks associated with distressed assets involving contaminated property. Bring value to site redevelopments using sustainable development standards, practices or certifications. Learn how you can effectively manage and resolve foreclosure and bankruptcy issues encompassing environmental contamination and reposition those assets in a challenged economy.

In this San Francisco conference explore how complex public and private real property transactions involving environmental contamination and sustainable development issues can be successfully managed—how sites get cleaned up and redeveloped using sustainable design, remediation and construction practices. Identify ways to monetize carbon finance assets in real estate transactions.

This RTM Communications, Inc., conference will provide attendees with expert insights into the realities of this new economy and the changes it has brought to relationships among buyers/sellers, lenders, investors, developers and insurers. Contaminated real property deals and redevelopment issues now must be shovel-ready as well as sustainable.

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. There will be special sessions on green building design, remediation, construction, evolving green building underwriting standards such as CMP and LEED, ENERGYSTAR and Carbon Neutral certification processes. There will also be a session in focus on the environmental risk management of vapor intrusion affecting real estate transactions.

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 and our future RTM webinars. You can register and pay online at www.rtmcomm.com.



DAY ONE – OCTOBER 28, 2009

- 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.*
- 8:30 – 9:00** **Insider's Perspective on the Challenges and Opportunities of Divesting Non-Performing Industrial Properties**
- ❖ Corporate strategy and tools for dealing with legacy industrial properties
 - ❖ Refining the liability management strategy, repositioning the asset/liability, determining realistic pricing
 - ❖ 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
- Chris Olson**, *Former Manager of Real Estate Reuse and Remediation Management, BP/Atlantic Richfield*
- 9:00 – 9:45** **Challenges and Strategies Facing Public/Private Financing of Contaminated Property Transactions in a Downturned Economy--A National Perspective**
- ❖ EPA brownfield program reauthorization
 - ❖ Opportunities from America Recovery & Reinvestment Act for the brownfield market
 - ❖ Update on the Brownfields Legislative Agenda/Coalition
 - ❖ Energy efficiency tax incentives and rehab tax
- Charles Bartsch**, *Vice President, ICF International*
- 9:45 – 10:15** **Surviving the Liquidity and Credit Market Crisis and Succeeding in Business and Real Estate Cycles**
- ❖ Emerging transactional and real estate trends in the brownfield redevelopment market
 - ❖ Acquisition, remediation, sustainable redevelopment and risk management of environmentally challenged properties—Ingersoll Rand divestiture of Schlage Lock
 - ❖ Restructuring the deal, acquisition criteria and due diligence
 - ❖ Property evaluation, pre-development options, site planning, entitlement scheduling
 - ❖ Mitigating or avoiding environmental and market risks—"The Hairy Deals"
 - ❖ Accounting for sustainable green and LEED certifications during the redevelopment life cycle
 - ❖ Engaging in alternative deal structures and public/private partnerships
- Stuart Miner**, *Co-Founder, Brownfield Partners and Market Street Investors*
- 10:15 - 10:30** **BREAK Refreshments Courtesy of TRC Companies, Inc. A chance to network and review exhibits**
- 10:30 – 11:45** **U.S. Supreme Court Decisions Affecting Business and Real Estate Transactions and the Superfund Practice**
- ❖ Post-*Burlington Northern, Atlantic Research Corp.* and *Aviall* decisions and their implications for landowners of contaminated property
 - ❖ Precedent-setting decisions may affect future CERCLA defense strategies for "arranger" and Joint and Several liability

- ❖ What is the harm that is divisible (contamination or costs) and what is the impact on site cleanup and cost recovery litigation?
- ❖ What level of evidence is necessary to support a reasonable basis for apportionment or “an allocation” of liability?
- ❖ Implications of these decisions for landowners of contaminated property

Stephen McKae, *Partner, Wendel, Rosen & Dean, LLP*
Laurence S. Kirsch, *Partner, Goodwin Procter, LLP*
Lawrence Schnapf, *Special Counsel, Schulte Roth & Zabel*
Karl Bourdeau, *Principal, Beveridge & Diamond, P.C.*
(Moderator)

11:45 – 12:15 EPA Enforcement Priorities Influencing Brownfield Transactions and Redevelopments

- ❖ Measuring the effectiveness of EPA's national and regional enforcement initiatives
- ❖ Tracking post-construction completion activities, financial assurance and SEPs
- ❖ Model agreements aimed at resolving brownfield liability issues
- ❖ Integrating sustainability at brownfield sites
- ❖ EPA grants, sustainability pilots and ER3 initiatives, benefits of sustainable design/remediation
- ❖ Addressing long-term stewardship issues at hazardous waste sites

Marie Rongone, *Supervisor, Hazardous Waste Branch, Office of Regional Counsel, USEPA Region 9*

LUNCHEON Hosted by Holland & Knight, LLP, GZA GeoEnvironmental, Inc., BNA Environmental Due Diligence Guide and Environmental Liability Transfer, Inc.

12:15 - 1:45 Sustainable Development/Brownfield Reforms Affect on Real Estate Transactions in California

Stewart Black, *Acting Deputy Director, Department of Toxic Substances Control (Invited)* and
Jennifer Hernandez, *Partner, Holland and Knight LLP*

1:45:- 2:45 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
- ❖ Undertaking public participation plan, remedial action plan, demolition and site cleanup
- ❖ Constructing public/private financing entitlements and sustainable redevelopment plan

Mary Hashem, *Co-Founder, Brownfield Partners, LLC*
Barbara Cook, *Chief of Site Mitigation and Brownfield Reuse Branch, Department of Toxic Substance Control, Cal EPA*
Tom Evans, *Lead Planner, San Francisco Redevelopment Agency*

2:45 - 3:15 Environmental Risk Management Strategies for Commercial/Industrial Brownfield Development Projects— National Developer Perspective

- ❖ Life of a deal, initial feasibility analysis, budgeting for uncertainties
- ❖ Due diligence investigations, approvals, entitlements, land development interests
- ❖ Structuring the transaction, removing contingent liabilities
- ❖ Exploring brownfield incentive programs/buy-in from regulators
- ❖ Underwriting/manuscripting coverages and structuring a comprehensive financial assurance program
- ❖ Integrating sustainable development in major development projects

Guillermo (Willy) Accame, *Environmental Director, Panattoni Development Company, Inc.*

3:15 - 3:30 BREAK Refreshments Courtesy of BNA-EDDG A chance to network and review exhibits

3:30 – 4:00 Liability Risk Transfer Options at Retail Gas Stations

- ❖ Selling portfolio of retail gas stations and the environmental due diligence involved
- ❖ Pre- and post-sale legal and environmental risk management techniques
- ❖ Risk-sharing mechanisms to enable asset sales
- ❖ Factors that influence liability risk transfer options

James T. Schaeffer, *Site Transfer Coordinator, BP/Atlantic Richfield Company*

4:00 – 4:30 Tying Together Liability Transfer and Transaction Strategies with Green Uses and Technologies

- ❖ Exit Strategy Program solutions that expedite sustainable redevelopment
- ❖ Blending fixed price remediation and liability transfer mechanisms for complex utility projects

Cynthia Retallick, *Senior Vice President, TRC Companies, Inc.*

4:30 – 5:45 The Intersection of Bankruptcy Law with Environmental Claims

- ❖ Elements of Bankruptcy Code utilizing Chapter 11
- ❖ Government regulators perspective on what happens to environmental protection obligations/financial assurance
- ❖ Managing environmental exposures for bankruptcy receivers
- ❖ Debt and lender perspectives in recent cases involving chemical and mining companies
- ❖ Transferring legacy liabilities to spin-off companies, role of environmental insurance
- ❖ Issues of successor liability and Section 363 sales
- ❖ Rejection of leases and abandonment issues imposed on trustees

Joel M. Gross, *Partner, Arnold & Porter, LLP and former Chief of Environmental Enforcement Section, Department of Justice*
Walter Lohmann, Jr., *Partner, Kirkland & Ellis, LLP*
Lawrence Schnapf, *Special Counsel, Schulte, Roth & Zabel*

5:45 - 7:15 RECEPTION Hosted by TRC Companies, Inc. and Environmental Data Resources, Inc. (EDR)

DAY TWO –OCTOBER 29, 2009

8:15 – 8:45 State of Real Estate Industry, Capital Markets and Due Diligence Trends

- ❖ 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
- ❖ Changing standards to underwriting collateral risk/environmental business risk

Dianne Crocker, *Managing Director, Market Research, EDR, Inc.*

8:45 – 9:15 State of Environmental Insurance Marketplace

- ❖ Companies, capacity, underwriting discipline
- ❖ Types of products from PARL to blended finite coverages
- ❖ New product development, web-based green products, combination policy forms
- ❖ Emerging environmental exposures, climate change/carbon risk

Richard Corbett, *President & CEO, XL Insurance*

9:15 – 10:15 Restructuring Due Diligence for Workouts, Foreclosures and Other Distressed Corporate and Government Assets

- ❖ Market environment, lender implications, distressed asset sales, environmentally challenged loans
- ❖ Trends in the financing/refinancing, market asset based lending, de-leveraging, rising defaults
- ❖ Due diligence for acquisition of distressed loans
- ❖ Foreclosure due diligence; extracting value from business and real estate transactions
- ❖ Credit crunch and brownfield issues facing local governments
- ❖ Impact of climate change risk/GHG emissions on due diligence
- ❖ Changing scope of lender due diligence

Richard Belyea, VP, *Environmental, Comerica Bank*
Mary Schulz, VP, *Environmental Risk, GE Capital Solutions*
Guillermo (Willy) Accame, *Environmental Director, Panattoni Development Company, Inc.*
Vince Yarina, *Associate, Langan Engineering and Environmental Services, Inc.*
Ignacio Dayrit, *Program Director, Center for Creative Land Recycling, formerly Project Director, City of Emeryville, CA*
Lawrence Schnapf, *Special Counsel, Schulte Roth & Zabel (Moderator)*

**10:15 – 10:30 BREAK Refreshments Courtesy of Holland & Knight
A chance to network and review exhibits**

10:30 – 11:15 Strategies to Pursue Sustainable Brownfield Redevelopment: The City of Stockton, CA

- ❖ Highlights of the City of Stockton's brownfield redevelopment program, including an overview of the city's successful multiyear waterfront redevelopment efforts
- ❖ Overview of the strategies, techniques and technologies employed in supporting the City of Stockton's brownfield efforts
- ❖ Brownfield development funding strategies, including leveraging the Polanco Redevelopment Act (AB 3193, Chapter 1113, Statutes of 1990, Polanco)
- ❖ How the City of Stockton is using the EDR Sanborn® Direct, a first-ever technological enhancement to the Sanborn Fire Insurance Maps
- ❖ Environmental professional's perspective on the challenges and opportunities in supporting a city's brownfield redevelopment efforts

Kitty Walker, *Brownfields Program Manager, City of Stockton*
Jon Walker, *Vice President, Commercial Real Estate Services, Environmental Data Resources, Inc. (EDR)*
David G. Dixon, *Senior Associate, Treadwell & Rolo*

11:15 – 11:45 Sustainable Remedial Efforts as Part of LEED Silver Brownfield Development Project

- ❖ Remedial plan, Former Unilever Research & Development Center, incorporates sustainable principles
- ❖ Feasibility Study in-situ solidification/stabilization, treating soils on-site for on-site reuse
- ❖ Subslab depressurization system to prevent vapor intrusion
- ❖ Reducing electricity usage through Air Logics air monitoring system

David M. Winslow, *Associate Principal, GZA GeoEnvironmental, Inc.*

LUNCHEON Hosted by CETCO, EnviroFinance Group, P&L Investments, LLC & Risk Management Technologies, Inc.

11:45 - 1:30 East/West Coast Perspectives: How Sustainability is Affecting Commercial Real Estate and Brownfield Redevelopments

Jennifer Hernandez, *Partner, Holland & Knight LLP, San Francisco, CA*
Amy Edwards, *Partner, Holland & Knight LLP, Washington, DC*

1:30 – 2:15 Environmental Liability Acquisition and Redevelopment of Corporate Real Property

- ❖ Holistic approach to evaluating property conditions, 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 for contaminated sites (case studies)

Randall Jostes, *CEO and President, Environmental Liability Transfer, Inc.*
Mark Knaack, *Business Development Manager, Burns & McDonnell*

2:15 – 2:45 Reforming the World: How Sustainable Projects are Built

- ❖ The BIMSTORM (how to use it for brownfield projects)
- ❖ Advanced techniques for cloud computing; "new era" affecting green professionals
- ❖ Sustainable development projects, Marina Gateway—from dump site to classy hotel

Richard G. Opper, *Partner, Opper & Varco, LLP*

2:45 – 3:30 Building Energy Performance Disclosure and Monetizing Carbon Assets in Business and Commercial Real Estate Transactions

- ❖ New ASTM Task Group on energy consumption to determine building energy efficiencies/conservation
- ❖ CMP green building underwriting standards and Green Value Score and LEED, ENERGYSTAR, Climate Neutral certifications, etc.
- ❖ Economic benefits of monetizing GHG emission reductions for real estate transactions
- ❖ Value creation drivers, tiered project financing approach, carbon asset monetization process
- ❖ State tax credits and deductions, grants for renewable energy technologies/credits

Anthony J. Buonicore, *Chairman, Buonicore Group and Buonicore Partners and Chair, ASTM Task Group E50.02*
Mark J. Bennett, *Senior Counsel, Climate Change Practice Leader, Miller Canfield*
Amy Edwards, *Partner, Holland & Knight LLP (Moderator)*

**3:30 – 3:45 BREAK Refreshments Courtesy of GZA and ELT
A chance to network and review exhibits**

3:45 – 4:30 Tools and Techniques for Integrating Sustainable Design and Remediation Principles, Practices and Metrics into Site Cleanup Projects and Renewable Energy Technologies

- ❖ Incorporating sustainable design into remediation projects
- ❖ Incorporating sustainability concepts and indicators in remedial decision-making activities
- ❖ Using sustainability assessment tools to measure environmental footprint, resource consumption and occupational risk
- ❖ Case studies demonstrating sustainable designs incorporating efficiency, maintainability and value through LEED, certifiable designs, performance contracting, life cycle cost analysis, energy audits, etc.
- ❖ Sustainable Remediation Forum (SURF)—process, direction and white paper
- ❖ Differentiating green remediation and sustainable remediation practices
- ❖ Siting renewable energy technologies

Curtis C. Stanley, *Senior Principal Consultant and Global Discipline Leader, Shell Global Solutions, Inc.*
Michael Gill, *ORD, Superfund Technical Liaison, Superfund Division, USEPA Region 9*
David Harnish, *Manager, PG&E*

4:30 – 6:00 Financing Perspectives on Brownfield Transactions, Tapping Environmental Capital

- ❖ Bracketing the risk, performing complete due diligence
- ❖ Negotiating and enforcing agreements/indemnities
- ❖ Debt/bridge and mezzanine financings for land/building acquisitions, remediation cleanup costs, construction, pre-development expenses, etc.
- ❖ New developments in structuring equity and debt financing for brownfield projects
- ❖ Working cooperatively with regulators, municipalities, and communities, using tax incentives/grants

Craig Carbrey, *President & CEO, EnviroFinance Group*
Pete Pederson, *Principal & CEO, Renova Partners, LLC*
Gary J. Silversmith, *President, P&L Investments, LLC*
Dean Jeffery Telego, *Executive Co-Director, Environmental Bankers Association*

DAY THREE – OCTOBER 30, 2009

SESSION IN FOCUS

VAPOR INTRUSION AFFECTING 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. Brownfield sites are logical candidates for VI based on their history of former commercial and industrial use affecting soils and ground water. 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 problems. 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. One of the challenges to the use of risk-based cleanups and institutional controls is vapor intrusion reopening once - closed sites. So how widespread is the vapor intrusion exposure and are Phase I consultants using the new ASTM E 2600 standard? Does the ASTM 2600 standard undermine the ASTM Phase I E 1527-05 standard? Does the ASTM VI standard establish vapor mitigation determinations based on presumptions?

This vapor intrusion session in focus will address these questions and cover the following: 1) industry standards and practices such as the ASTM standard for VI assessments for real estate transactions, 2) the tiers for screening and assessing site conditions, methods and modeling VI pathways at petroleum and chlorinated solvent sites, 3) the effective use of remedial alternatives against sites contaminated by chlorinated VOCs and the mitigation systems/barriers currently in use and 4) case law and recent litigation affecting buyers, sellers and environmental consultants performing the investigations and site cleanups.

8:30 - 9:30 The Applicability of ASTM Vapor Intrusion (VI) Standard for Real Estate Transactions

- ❖ Screening method as part of the environmental site assessment process
- ❖ Developing a sound and defensible technical standard
- ❖ Multi-tier protocol for assessing potential for VI exposure
- ❖ National survey results on Phase I consultants using the new ASTM E 2600
- ❖ Does ASTM VI Standard establish vapor mitigation determinations based on presumptions?

Anthony J. Buonicore, *Chairman, Buonicore Group and Buonicore Partners and Chairman of ASTM Task Group E50.02.08*
Laurence S. Kirsch, *Partner, Goodwin Procter, LLP*
Lawrence Schnapf, *Special Counsel, Schulte Roth & Zabel*
Edward L. Strohbahn, Jr., *Partner, Bingham McCutchen, LLP*
Richard Belyea, *Vice President-Environmental, Comerica Bank*
Dean Jeffery Telego, *Executive Co-Director, Environmental Bankers Association*

9:30 - 10:00 Screening, Evaluating, Remediating and Restoring Sites Affected by Vapor Intrusion

- ❖ Accounting for the environmental factors, mitigation systems
- ❖ Site specific modeling to screen out certain site conditions
- ❖ Risk-based screening methods for indoor chemical vapors
- ❖ Designing site investigations and remedial alternatives
- ❖ Application of advanced techniques using risk-based targets

Todd McAlary, *Practice Leader, Vapor Intrusion GeoSyntec Consultants, Inc.*

10:00 -10:15 BREAK Refreshments courtesy of Risk Management Technologies, Inc., and CETCO

10:15-10:45 Use of a Gas Vapor Barrier to Mitigate Subsurface Vapor Intrusion

- ❖ Gas vapor barrier working with passive or active venting systems
- ❖ Types of gas vapor membranes, spray-applied or sheet-applied
- ❖ Implementing engineered remedial and mitigation barriers, sediment and soil capping soil solidification and stabilization to meet federal, state or local standards
- ❖ Case studies of applicable remediation technologies

Stacey Telesz, *Technical Sales Manager, CETCO*

10:45-11:45 Cutting Edge Case Law, Case Studies and Industry Perspectives on Vapor Intrusion

- ❖ Assessing and mitigating VI at petroleum and chlorinated solvent sites
- ❖ Industry observations about EPA and States' VI guidance
- ❖ Strategies for vapor intrusion evaluation of legacy sites
- ❖ Legal and technical challenges involved in investigating and designing a VI mitigation system and making real time decisions for commercial transactions
- ❖ Landmark vapor intrusion case law and case studies featuring EPA and OSHA transactional and technical issues

Lawrence Schnapf, *Special Counsel, Schulte Roth & Zabel*
Laurence S. Kirsch, *Partner, Goodwin & Procter, LLP*

11:45 – 12:00 Conference Summation

Dean Jeffery Telego, *President, Risk Management Technologies, Inc.*

Risk Management Technologies, Inc., (RTM) 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. RTM also performs strategic market planning, government relations, expert testimony, regulatory analysis, and risk and insurance management consulting services. RTM offers services in environmental risk management consulting, including due diligence and remediation oversight, environmental finance and environmental risk management conferences, training and publishing through its affiliate, RTM Communications, Inc., and association management (Environmental Bankers Association).

Learn more at www.rtmcomm.com or www.envirobank.org or www.riskmanagementtech.com



Holland & Knight

Holland & Knight is a global law firm with more than 1,110 lawyers located in 17 U.S. and 5 international offices. 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 2006, a survey of more than 250 corporate counsel at Fortune 1000 companies ranked Holland & Knight as one of the nation's top three law firms for delivery of superior 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, and other 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.

commonground

intelligence from the ground up

Commonground is the global community for environmental and property due diligence professionals to share ideas, discuss issues and trends, network and – ultimately - generate business. Launched in April 2008, commonground is fast becoming one of the liveliest industry-focused, business social networks on the web. Free to join, commonground has thousands of members from over 1,700 companies, all 50 states, and 67 countries. Members benefit from real-time answers from peers and experts on pressing and often challenging questions, ongoing discussions concerning market issues, trends, and legislation, market metrics, e-courses, and hundreds of downloadable research reports and articles. The community draws a broad range of professionals specializing in property due diligence, environmental health & safety, attorneys, appraisers, lenders, industry leaders, and market experts. Topics range from governmental regulations and compliance, to risk management, environmental liabilities and green building. Not a member yet? Join today at <http://commonground.edrnet.com/join/signup>.



CETCO's Remediation Technologies provide cost-effective engineered solutions to challenging environmental projects worldwide in site remediation applications such as engineered remedial and mitigation barriers, sediment and soil capping, soil solidification and stabilization, water treatment, dewatering, and hazardous waste cleanup. Products include LIQUID BOOT® Vapor Intrusion Systems, REACTIVE CORE MAT® In-Situ Sediment Capping Material, ORGANOCCLAY™ Organic Adsorbent Media, BENTOMAT® Geosynthetic Clay Liners, SORBOND® Solidification & Stabilization Agent, QUIK-SOLID® Superabsorbent Media, and ACCOFLOC™ Specialty Flocculant Aid. www.cetco.com or www.sedimentremediation.com. Phone: 714-384-0111.



EnviroFinance Group, LLC (EFG) is a leading brownfield lender providing financing for the acquisition, clean-up and redevelopment of contaminated land parcels nationwide. The company's unique approach to redevelopment financing allows for remediation, horizontal and/or vertical construction activities to occur simultaneously to facilitate faster and more cost-effective projects. EFG's financing is a catalyst to the expansion of urban infill and renewal projects as well as the revitalization of rural communities, returning blighted properties to productive use and increasing local tax revenues. Borrowers include commercial site owners, real estate developers and public entities.



Environmental Data Resources, Inc. (EDR) is the leading provider of environmental risk information and related workflow solutions in the United States. As the innovator of the largest and most accurate database of environmental and historical land use information, each of our offerings is based on information and expertise that simply does not exist anywhere else. EDR provides environmental risk data you can rely on. Contact EDR at (800) 352-0050, or review our services at www.edrnet.com for more information.



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.



Founded in 1964 as Goldberg-Zoino & Associates, Inc., as a soils and foundations specialty consultant, GZA GeoEnvironmental, Inc. has grown into a full-service company providing its clients with a wide range of geotechnical engineering, environmental and civil engineering consulting and remediation services. GZA employs more than 550 engineers, scientists and technical support staff in 24 offices in the United States. GZA is consistently ranked in the top 100 for *Engineering News Record's* annual list of the *Top 200 Environmental Firms*. At GZA we understand that superior client service results as much from applying high quality engineering, scientific and project management skills as from being excellent listeners, proactive communicators and timely responders. Our commitment to our clients begins with our investment in staff development and training and the applied state-of-the-art technology to understand your business and the issues you face in the marketplace.



P&L Investments, LLC

Founded by leading brownfields investors and attorneys, P&L is an international investor in brownfields. P&L has owned and managed brownfields ranging from abandoned gas stations in Texas and California to landfills in Pennsylvania and Ohio. Headquartered in Washington, DC, P&L utilizes a network of internationally respected environmental engineers, consultants and attorneys to identify, acquire, remediate, and market brownfields. P&L is also on the GSA schedule for providing inter alia, asset management services to the federal government.



TRC Companies, Inc. is a publicly-traded national consulting, engineering and construction management firm that provides integrated services to the environmental, energy, infrastructure and real estate markets. Incorporated in 1971, TRC provides multidisciplinary services to a broad range of commercial, industrial and governmental markets through its more than 2600 employees across more than 90 national offices. TRC's Exit Strategy program offers clients a comprehensive risk management structure to address and resolve environmental remedial liabilities and risk. TRC was unique among its peers, pioneering in the "liability transfer" structure for contaminated properties, assuming responsibility and liability for the remediation of a site, and perpetually retaining the associated financial liability and risk. TRC remains the market leader in the "liability transfer" industry having closed more than forty (40) transactions for more than one hundred (100) sites over the past eleven (11) years, representing more than \$500 million in remediation obligations and an underlying asset value of more than \$2.4 billion.

INFORMATION

HOTEL INFORMATION

Marines' Memorial Club and Hotel
609 Sutter St.
San Francisco, CA 94102
Tel: (800) 562-7463 or 415-673-6672

RTM has been able to obtain the special "RTM Communications" rate of \$189.00, including full American breakfast and a nightly, two-hour hosted happy hour, both in the rooftop restaurant. Our room block closes October 1, 2009. The hotel is in full compliance with the Americans with Disabilities Act, has complimentary wireless in all guestrooms, a fitness center on property, and offers non-smoking rooms upon request. 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 in advance and prepay the fees. We have applied only to California as a courtesy, but we must notify each State in advance and meet all their individual requirements.

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. Each attendee will receive a comprehensive Conference Proceedings. Time will be allowed after each speaker or panel for questions from the audience. **TRC Companies, Inc. and Environmental Data Resources, Inc. (EDR)** will host the reception, held the evening of October 28, 2009. 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 October 2 2009, to avoid a service charge of \$595.00. No refunds or credits will be given for cancellations received after October 2, 2009. Registrants who have registered and/or signed this form (hard copy or electronic) and who do not cancel before October 2, 2009 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.

The Conference **SUSTAINABLE PROPERTY TRANSACTIONS: RECONFIGURING THE BUSINESS OF CONTAMINATED SITE REDEVELOPMENTS**

The conference **SUSTAINABLE PROPERTY TRANSACTIONS: RECONFIGURING THE BUSINESS OF CONTAMINATED SITE REDEVELOPMENTS** 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. Reforms and new developments associated with the Federal EPA and state guidances will be discussed. The corporate perspectives on distressed assets and the changing due diligence standards for acquisitions, legacy liability management, and disposition of contaminated non-performing/surplus properties will be covered in this conference. Issues associated with sustainable design and remediation, green building standards and LEED certifications for commercial buildings will be central topics of this conference. Discussions will include the impact of the post-Supreme Court cases affecting arranger and joint and several liability. Focus will be placed on successful mandatory and voluntary risk-based cleanups, on the financing and sustainable redevelopment of former NPL and non-NPL contaminated properties, on performance-based contracting and cleanups, on the transfer and redevelopment of middle market and multi site transactions, and on market opportunities involving brownfield properties, industrial and residential properties as well as coverage for monetizing carbon finance assets in commercial real estate transactions. Creative public/private financing programs and practices for the characterization, cleanup and redevelopment of brownfield sites will also be covered. Alternative due diligence techniques for complex deals and distressed loans and other corporate assets will be covered and debated. Corporate brownfields case studies involving successful cleanups, redevelopments and use of guaranteed fixed-price remediation will be presented. Finally, there will be a Session In Focus on Vapor Intrusion issues affecting complex contaminated property transactions.

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,
Environmental, Real Estate, Bankruptcy Lawyers,
Brownfield Redevelopment Firms,
Life Insurance Finance Company Executives,
Real Estate Investors, Developers and Brokers,
Environmental Consultants and Remediation Companies,
Environmental Insurance Underwriters/Bankers,
City & County Managers,
Economic development agency officials,
Federal and State government officials,
Sustainable Property Developers/Investors.

RTM Communications, Inc., is pleased to bring you this exciting conference. The conference will be the key place to be for practical approaches to the cleanup, financing, investing, due diligence, risk-based and sustainable design and remediation issues facing the redevelopment of commercial, industrial and public sector facility sites. Examine the program and see the impressive lineup of top-notch speakers we have produced for you.

Then please register today!



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



**SUSTAINABLE PROPERTY TRANSACTIONS:
RECONFIGURING THE BUSINESS OF
CONTAMINATED SITE REDEVELOPMENTS**

October 28, 29, 30, 2009

**Marines' Memorial Club & Hotel
609 Sutter St., San Francisco, CA 94102**

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- Holland & Knight LLP
- Risk Management Technologies, Inc.
- BNA Environmental Due Diligence Guide (EDDG)
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- EnviroFinance Group
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**CONFERENCE ON SUSTAINABLE PROPERTY TRANSACTIONS: RECONFIGURING
THE BUSINESS OF CONTAMINATED SITE REDEVELOPMENTS
October 28, 29, 30, 2009**

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REGISTRATION: RTM's economic stimulus offering

Past Attendee or Colleague of Past Attendee

Early Bird until Oct. 1, 2009, requires a room at the
conference hotel \$750 _____

After Oct. 1, 2009, or a room at another hotel \$849 _____

First time Attendee Early Bird until Oct. 1, 2009,
requires a room at the conference hotel \$850 _____

After Oct. 1, 2009 or a room at another hotel \$950 _____

Government Employee \$475 _____

One Day Registration \$425 _____

Registration at the door \$999 _____

Payment by check is enclosed or
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or Mail it to:



**RTM Communications, Inc.
510 King St., #410
Alexandria, VA 22314**



or call 1/800 9 NO RISK, 1-800-866-7475 to Register

Register and Pay online at www.rtmcomm.com

Payment Policy: All payments must be received by October 21, 2009. Payments can be made by check or by credit card either on the phone or online at 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 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.