

ENVIRONMENTAL LAW SECTION  
EXECUTIVE COMMITTEE MEETING AGENDA  
October 16, 2016

- Welcome and Introductions
- Motion to Approve Minutes for May 15<sup>th</sup> Executive Committee Meeting
- Budget Report (M. Wieder)
- Survey Monkey Results (F. Piccininni)
- Membership/Diversity Committees/Minority Fellowship - Current Status- 1009
  - Pathways/Law school programs (R. Stout/F. Piccininni)
  - Diversity Task Force (K. Bernstein)
- Publications/Social Media
  - Community Home Page
  - Newsletter Opt-out Initiative
- Section Committee Matters
  - Solid Waste Committee Part 360 Comments (available from website/Community Library)
  - Brownfield Task Force
  - Other Committees
  - Committee Planning Agendas
  - Committee Liaisons
  - Committee Vacancies
- House of Delegates Report (L. Shaw)
- 2016 Summer/Fall Programs
  - Troubled Waters/ Drinking Water (Pace Downtown)
  - Redeveloping Gas Stations (Herrick Feinstein/webcast)
  - Emerging Issues in Environmental Insurance 2016 (Oct. 28<sup>th</sup>-Latham & Watkins NYC/webcast)
  - Update on Hazardous Waste and Site Remediation (Nov. 15<sup>th</sup>-Albany)

- Annual Meeting CLE Program (B. Kogut)
- By-Laws Revisions
  - Term limits for Committee co-chairs
  - Minimum mandatory attendance for Executive Committee
  - Section Name Change
- New Business
  - Article XIV report
  - Program for 30<sup>th</sup> Anniversary of Environmental Impact Assessment conference
  - Section Cabinet Meetings with DEC General Counsel.
- Motion to Adjourn

**ENVIRONMENTAL LAW SECTION**  
**EXECUTIVE COMMITTEE MEETING, 5/18/16**  
**Executive Committee Meeting – 1:45 p.m. – 3:00 p.m., Albany, N.Y.**  
**MINUTES**



- \* Attendees: In-person: ~12 or so – see sign-in sheet + Otis
- \* On the line: Joan L-M, Gail P., Howard T., Frank P., Ginny R.

1. Minutes, 1/29/16, Executive Committee – Motion (M. Wieder)  
- January meeting minutes distributed & approved.
2. Budget Report, as of 3/31/16, 2015 (M. Lesser)  
- waiting for budget report but we're in the black!
3. Annual Meeting 2016, Results (L. Bataille)

\* New items: David Freeman discussed brownfields 'underutilized' definition issue + 2<sup>nd</sup> annual site remediation program (Nov 2016)

4. Membership – Diversity Committees
  - Current Status – 5/1/16 – 986 Members – 19 New members (April)
    - o ~85 member = law students
  - Law school programs, welcome letters sent (R. Stout, ~~J. Greenthal~~)
    - o ~100 sent recently
    - o JLM went to a recent program / writing up what we can do
  - Arnold & Porter Program (~~E. McTiernan, S. Russo~~)
5. 2016 Winter-Spring Programs
  - Agriculture-Rural Issues Webinar (2/16) (~~R. Moore~~)
  - Green Bldg. Issues – GT Location (3/16) (~~S. Russo~~)
  - Legislative Forum – Drinking water (5/18/16) (~~J. Kasow, J. Parker~~)
    - went very smoothly & well-attended
  - Drinking Water Program – Pace (5/23/16) (M. Wieder)
    - briefly discussed successful drinking water program ELS organized in NYC in conjunction w/ Pace Law School & the ABA / challenge to get speakers due to the litigation & issues surrounding the PFC issue & lead
  - USEPA R2 Program – Columbia (6/2/16) (~~K. Healy~~)
  - Oil Spill Symposium – Albany (6/8/16) (~~A. Knauf~~)
  - Global Climate Change – Columbia (6/17/16) (G. Robbins)
    - working meeting / not open to all / ~25 attys

6. GCC 2009/2011, Report Update,  
(G. Robbins, ~~M. Gerrard, C. Howard, K Healy~~)  
- Working w/ Pace Law / should be finished this Summer
7. Publications, Env. Lawyer, blog, website, LinkedIn (M. Villani, ~~S. Capasso~~)  
Mid-June Deadlines for next EL  
Fall Writing Competition  
Website – more than 1200 page views  
Blog – 2700 page views  
LawHUB - Communities
8. Fall Meeting 2016 at the Otesaga in Cooperstown, 10/14 – 10/16, (L. Schnapf)
- \* Misc Section Issues (M. Lesser)  
ELS sent a card to John Greenthal.  
Warren Reese past away recently. :(  
Joan LM is back at NYSDEC in LIC after 2 years at EPA.
9. Old Business
10. New Business  
Drinking Water Issues / Continuing Dialogue (M. Wieder)  
We would like to build on the success of our 2 spring drinking water conferences and keep the dialogue going at future ELS events. Both the PFC and Lead issues will be with us for quite a while.  
  
WebEx & Webcasting discussed  
Webcast = ~\$2500 for each session / If you just host an online session & use a PowerPoint it hardly costs anything though (Beth Gould or Gold?)
11. Rebranding/Marketing – ELS to EELS? (M. Wieder/ H. Tollin)  
The incoming cabinet was so inspired by the marketing/branding discussions at the Section Leadership Conference on 5/12, we suggest re-branding ourselves with a name change from ELS to the EELS! We could consider renaming the section the “Environmental & Energy Law Section” or going less formal with just telling anyone that asks that the 1st E stands for - - earthy, easygoing, earnest, ebullient, eccentric, effervescent, effective...etc. Draft mascot/logo to follow if passed...  
- Discussion Sections Leaders conference a bit as well.
12. The Passing of the Gavel – Passed to Larry...
13. Motion to Adjourn – passed...

5/18/16

Attendance

Michael Lesser

(518) 432-5598

OTIS Schupf - dog

LARRY Schupf

212-876-7189

MANWA WITZEN

212 678 2424

JOAN LEAHY (on phone)

David Freeman

212-613-2079

Ginny Pothman

315-218-8182

Telispat Putsavage

518-272-0300

Rob Stout

~~845-641-3745~~

Keith S. Hiller

518. 788. 8665

Phone:

Gael Port

Joan Matthews

Howard Tollun

Frank Pichunni

Phone Philip <sup>Piccininni</sup> Dixon

Claudia Braymer (518) 792-1582

518-487-7726

Special Guest: Beth Gould

NYSBA Staff Liaison

~~Phone: Joan Matthews, Gael Port~~

Environmental Law Section  
Executive CO. 5/18/14  
Attendance - Please print

Name:

Joan Matthews, Phone  
Lisa Battelle

BARRETT KOGUT (315) 218-8181  
Claudia Braymer (518) 792-1582

New York State Bar Association  
Environmental Law Section  
For the Eight Months Ending Wednesday, August 31, 2016

	2016		August	2015		Percent	2014		Percent	2013		2012
	Budget	Year To Date		Budget	Year To Date		Year To Date	Year To Date		Year To Date		
Income												
Dues	\$32,000.00	\$29,287.50		\$32,000.00	91.52%	\$32,283.75	\$33,727.92	97.65%	\$33,727.92	\$33,734.17		
Meetings	33,000.00	19,405.00	3,255.00	34,000.00	58.80%	26,826.00	20,867.00	72.79%	20,867.00	18,709.00		
Sponsorship	10,000.00	6,600.00		9,000.00	66.00%	5,700.00	6,700.00	70.00%	6,700.00	3,500.00		
Newsletters	1,000.00	165.00		1,000.00	16.50%	720.00	720.00	55.50%	720.00	185.00		
Publications					0.00%	30.00		0.00%		50.00		
Prior Years Surplus Used	3,500.00			4,900.00	0.00%			0.00%				
Total Income	79,500.00	55,457.50	3,255.00	80,900.00	69.76%	65,559.75	62,014.92	77.72%	62,014.92	56,178.17		
Expenses												
Postage & Shipping	1,500.00	1,043.16	361.49	1,750.00	69.54%	889.14	817.35	39.90%	817.35	1,102.99		
Awards & Grants	3,500.00	1,672.69		5,000.00	47.79%	7,529.90	4,553.17	31.00%	4,553.17	6,757.20		
Diversity	6,000.00			6,000.00	0.00%		3,000.00	91.67%	3,000.00			
Catering & Banquets	40,000.00	15,871.15		45,000.00	39.68%	13,309.68	41,007.37	49.16%	41,007.37	38,319.33		
Beverage Service & Receptions	10,000.00	2,637.20		7,500.00	26.37%	3,604.63	5,875.25	48.06%	5,875.25	5,502.03		
Speaker & Guest Expense	1,500.00	840.99		1,000.00	56.07%	289.23	277.75	0.00%	277.75			
Audio/Visual Expense	5,000.00	4,232.52	112.00	2,500.00	84.65%	2,083.32	2,076.95	74.32%	2,076.95	2,551.42		
Promotional Costs				500.00	0.00%			0.00%				
Activities & Entertainment	500.00			1,000.00	0.00%			0.00%				
Gratuities	300.00			300.00	0.00%			0.00%				
Section Executive Committee Meetings	1,500.00	829.42		350.00	55.29%		1,210.72	345.92%	275.48	15.44		
Officers Expense	1,000.00	141.34	12.75	1,500.00	14.13%	35.11	697.50	118.75	697.50	391.53		
Miscellaneous Meeting and Program Costs	1,000.00	964.66		1,000.00	96.47%	400.00	1,064.90	124.18%	1,064.90	3,405.62		
Section Subcommittee Meetings	1,000.00	74.18	9.28	500.00	7.42%	230.45	79.99	42.76%	79.99	3,618.84		
Newsletters	5,500.00	4,546.28		5,000.00	82.66%	3,440.71	61.92	53.80%	61.92	3,329.06		
Graphic Department Allocations	1,200.00	1,035.42	299.90	1,500.00	86.29%	735.04	894.37	54.86%	894.37	1,717.44		
Total Expenses	79,500.00	33,889.01	795.42	80,400.00	42.63%	32,412.96	60,482.00	51.70%	60,482.00	66,710.90		
Net Income over Expense			2,459.58	500.00	0.00%	33,146.79	1,532.92	4263.02%	1,532.92	(10,532.73)		

Accumulated Surplus (Deficit) 71,919



# 2017 Minority Fellowship in Environmental Law

Sponsored by  
**New York State Bar Association**  
**Environmental Law Section**

## The Fellowship

- \$6,000 stipend to spend the summer of 2015 (10 weeks minimum) working on legal matters for a government environmental agency or public interest environmental organization in New York State.
- Invitation to the annual meeting of the New York State Bar Association's Environmental Law Section
- Assignment of a mentor from the environmental bar

## Eligibility

First-year, second-year, and third-year (night students only) minority group members who are: 1) enrolled in a law school in New York State; or 2) permanent New York State residents, and enrolled in a law school in the United States. Minority group members are persons who are: African American, Latino, Native American, Alaskan native, Asian or Pacific Islander.

## Fellowship Criteria

Interest in environmental issues; academic record (undergraduate and/or law school); outstanding personal qualities; leadership abilities; financial need. (A law school course in environmental law is not a prerequisite.)

## Application Requirements

Applications must contain a completed application form; a resume; an undergraduate transcript; a law school transcript (except for first-year law students); a two-page essay describing applicant's interest in environmental issues and reasons for wanting to participate in the Fellowship; and two letters of recommendation. Finalists will be interviewed in New York City.

## Application Deadline

All applications must be received by December 31, 2016. Completed applications should be mailed to: New York State Bar Association, Environmental Law Section, One Elk Street, Albany, NY 12207.

## For Further Information

Detailed information, and application forms, may be obtained from: Fellowship in Environmental Law, New York State Bar Association, One Elk Street, Albany, New York 12207, or e-mail: [kplog@nysba.org](mailto:kplog@nysba.org).



**NEW YORK STATE BAR ASSOCIATION**

**ENVIRONMENTAL LAW SECTION**

**Diversity Plan**

**Final – January 2004**  
**Update – October 2011**

**James J. Periconi, Section Chair 2003-2004**  
**Philip Dixon, Section Chair 2011-2012**

**Prepared by the Section’s Ad Hoc Committee on Diversity**

**2004 Plan**

**John Greenthal, Immediate Past Section Chair**  
**Joan Leary Matthews, Committee Chair**  
**Eileen Millett, former Committee Co-Chair**  
**Michael Lesser**  
**James A. Sevinsky**

**2011 Update**

**Joan Leary Matthews**  
**John Greenthal**

## **Introduction**

The Environmental Law Section is committed to having a diverse membership so that those who participate in the Section's activities and the products of the Section's work will be enriched and enhanced by the different perspectives, backgrounds, and experiences of its members.

Data on Section membership indicate that the Section lacks diversity in many respects. As a result, the Section is committed to increasing the heterogeneity of the Section membership from among the many varied individuals in the environmental legal profession. Indeed, the Section has taken an important step at the top: effective June 1, 2004, the majority of the five Section officers are attorneys practicing in the government and not-for-profit sector.

## **Committee's Charge**

The Section's Executive Committee created the Ad Hoc Committee on Diversity in April 2002 with the following charge:

[I]dentify the diversity needs of the Section in the areas of membership, programming, and committee functions – and in any other areas that the Committee identifies. The Committee shall develop recommendations strategies, and/or guidelines to address the needs identified.

## **Goals**

The goals of the Section relating to diversity are to actively recruit attorneys from diverse backgrounds and practice areas on Section committees and in programs, to foster an atmosphere of inclusion of these attorneys, and to benefit from their perspectives. To this end, the Section seeks to vary its membership based on a number of characteristics or factors:

- race and ethnicity
- gender
- sexual orientation
- experience level
- disability
- public sector employment
- not-for-profit sector employment
- corporate counsel employment
- geography
- position within a firm or organization
- practice area within environmental law

## **ACTION ITEMS**

To achieve the goals identified above, the Committee has identified a number of Action Items.

### **Section Message on Diversity**

- Amend the Section Mission Statement to include a commitment to diversity.
- Ensure that the Nominations Committee is informed of the Section's goals for diversity.
- Provide a copy of the Diversity Plan to all existing and incoming Committee and Program Chairs.

### **Outreach Efforts**

- Conduct outreach to law student Environmental Law Societies, especially through the efforts of Section members who are alumni of a law school with an Environmental Law Society.
- Establish a Law Professor Committee, which would explore ways to involve Section members in law school student activities.
- Conduct outreach to local and specialty bar associations (e.g., Black, Hispanic, Asian, and Women's Bar Associations).
- Review NYSBA corporate counsel list to identify potential Section members.
- Work with trade associations to identify environmental attorneys in various industry sectors.
- Work with General Counsels and other active Section members from government agencies to attract more members.
- Work with senior attorneys in law firms to encourage participation by younger and more newly admitted attorneys.
- Use Section leaders from underrepresented areas of the State to seek greater participation from attorneys in those areas, including asking Section leaders to speak at County Bar Association meetings.
- Work with Section members who are active in other NYSBA sections to encourage cross-over membership.

### **The Personal Touch**

- Schedule personal meetings with prospective and newer members.
- Ensure that first-time registrants feel welcome even prior to a meeting.
- Establish an Ambassador program to greet new members to Section meetings.

- Invite new members to the Executive Committee Reception at each Annual Meeting.
- Establish a mentoring program for new Section members who are newer attorneys.
- Continue and enhance the Minority Law Student Fellowship program, such as by assisting and mentoring Fellows after their Fellowship.

### **Speakers at CLE programs and Other Section Events**

- Ensure a greater role of persons with diverse backgrounds and experiences as speakers and panelists at Section programs.
- Develop guidelines for CLE Committee and Program Chairs to encourage selection of diverse panels of speakers.

### **Publicity for Efforts to Obtain Diversity**

- Continue to publicize the Subsidization Program to members.
- Encourage and recognize contributions by members.
- Publicize the Section's efforts at increasing diversity in publications of the Section and NYSBA, as well as in other publications.
- Create a webpage for the Ad Hoc Diversity Committee and provide a mechanism for potential new members to ask questions and obtain information via the internet.

### **Implementation of Action Items**

To implement these Action Items, the Section Officers and other members of the Section's Executive Committee will identify persons responsible for carrying out these items, pursuant to a schedule appropriate to each item. The Appendix to this Report sets forth a preliminary series of tables that the Section Officers and Executive Committee members will fill out as a way to ensure that these Action Items will be realized.

**New York State Bar Association  
Environmental Law Section**

**January 2004 Diversity Plan  
Appendix B Implementation of Action Items**

<b>ACTION ITEM</b>	<b>SECTION MEMBER(S) ASSIGNED</b>	<b>TARGET DATE FOR IMPLEMENTATION</b>
<b>A. Section Message on Diversity</b>		
1. Amend the Section Mission Statement to include a commitment to diversity.	Joan Leary Matthews, John Greenthal	Language drafted for Cabinet and Executive Committee approval, October 2011
2. Ensure that the Nominations Committee is informed of the Section's goals for diversity.	Section Chair, Diversity Liaison	When Nominations Committee established in Fall
3. Provide a copy of the Diversity Plan to all existing and incoming Committee and Program Chairs.	Section Chair	June of each year
4. Appoint a Diversity Liaison and invite that person to participate in Cabinet Conference calls.	Section Chair	

ACTION ITEM	SECTION MEMBER(S) ASSIGNED	TARGET DATE FOR IMPLEMENTATION
<b>B. Outreach Efforts</b>		
1. Conduct outreach to law student Environmental Law Societies, especially through the efforts of Section members who are alumni of a law school with an Environmental Law Society.	Membership Committee	Ongoing Executive Committee approved various benefits for students
2. Establish a Law Professor Committee, which would explore ways to involve Section members in law school student activities.		
3. Conduct outreach to local and specialty bar associations (e.g., Black, Hispanic, Asian, and Women’s Bar Associations).		NYSBA holds annual diversity event in NYC
4. Review NYSBA corporate counsel list to identify potential Section members.	Membership Committee	Ongoing
5. Work with trade associations to identify environmental attorneys in various industry sectors.		
6. Work with General Counsels and other active Section members from government agencies to attract more members.	Lou Alexander has done this	Ongoing
7. Work with senior attorneys in law firms to encourage participation by younger and more newly admitted attorneys.	Membership Committee	Ongoing
8. Use Section leaders from underrepresented areas of the State to seek greater participation from attorneys in these areas, including asking Section leaders to speak at County Bar Association meetings.	Membership Committee	
9. Work with Section members who are active in other NYSBA sections to encourage cross-over membership.	Executive Committee members	Ongoing

ACTION ITEM	SECTION MEMBER(S) ASSIGNED	TARGET DATE FOR IMPLEMENTATION
<b>C. The Personal Touch</b>		
1. Schedule personal meetings with prospective and newer members.	Section Chair Membership Committee	
2. Ensure that first-time registrants feel welcome even prior to a meeting.	Section Chair Officers	
3. Establish an Ambassador program to greet new members to Section meetings.	Section Chair Membership Committee	
4. Invite new members to the Executive Committee Reception at each Annual Meeting.	Membership Committee	
5. Establish a mentoring program for new Section members who are newer attorneys.	Membership Committee	
6. Continue and enhance the Minority Law Student Fellowship program, such as by assisting and mentoring Fellows after their Fellowship, and provide incentives for continued participation in the Section.	Ad Hoc Minority Fellowship Committee Executive Committee	Ongoing

ACTION ITEM	SECTION MEMBER(S) ASSIGNED	TARGET DATE FOR IMPLEMENTATION
<p><b>D. Speakers at CLE programs and Other Section Events</b></p> <p>1. Ensure a greater role of persons with diverse backgrounds and experiences as speakers and panelists at Section programs.</p>	<p>Section Chair Program Chairs CLE Committee</p>	<p>Speaker Selection Guidelines approved by Executive Committee September 25, 2005, updated October 23, 2011</p>
<p>2. Develop guidelines for CLE Committee and Program Chairs to encourage selection of diverse panels of speakers.</p>	<p>Section Chair Program Chairs CLE Committee</p>	<p>Speaker Selection Guidelines approved by Executive Committee September 25, 2005, updated October 23, 2011</p>



ACTION ITEM	SECTION MEMBER(S) ASSIGNED	TARGET DATE FOR IMPLEMENTATION
<b>E. Publicity for Efforts to Obtain Diversity</b>		
1. Continue to publicize the Subsidization Program to members.	Section Chair NYSBA Liaison	Ongoing, but open issue for government attorneys
2. Encourage and recognize contributions by members.	Section Chair Journal Editor-in-Chief	Ongoing
3. Publicize the Section's efforts at increasing diversity in publications of the Section and NYSBA, as well as in other publications.	Section Chair, Journal Editor-in-Chief (provided Section has results)	
4. Create a webpage for the Ad Hoc Committee on Diversity and provide a mechanism for potential new members to ask questions and obtain information via the internet.		



	Count	Percent	Valid Percent
6 to 7	44	4.35%	4.35%
8 to 14	98	9.68%	9.68%
15 to 19	67	6.62%	6.62%
20+	576	56.92%	56.92%
No Admit Date	90	8.89%	8.89%
X (no data)	90	8.89%	8.89%
	<b>1,102</b>	<b>108.89%</b>	<b>100.00%</b>

	Count	Percent	Valid Percent
<b>I) Disability</b>			
Decline to Answer	93	9.19%	15.98%
No	481	47.53%	82.65%
X (no data)	430	42.49%	
Yes	8	0.79%	1.37%
	<b>1,012</b>	<b>100.00%</b>	<b>100.00%</b>

	Count	Percent	Valid Percent
<b>J) Sexual Orientation</b>			
Decline to Answer	57	5.63%	13.83%
Heterosexual	349	34.49%	84.71%
Lesbian/Gay/Bisexual/Transgender	6	0.59%	1.46%
X (no data)	600	59.29%	
	<b>1,012</b>	<b>100.00%</b>	<b>100.00%</b>

	Count	Percent	Valid Percent
<b>K) Dues Billing Category</b>			
a) NY Admitted 8 Plus Years	578	57.11%	57.11%
b) NY Admitted 6-7 Years	37	3.66%	3.66%
c) NY Admitted 4-5 Years	33	3.26%	3.26%
d) NY Admitted 2-3 Years	60	5.93%	5.93%
e) NY Newly Admitted	3	0.30%	0.30%
f) NY Sustaining	15	1.48%	1.48%
g) OOS Admitted 8 Plus Years	111	10.97%	10.97%
h) OOS Admitted 6-7 Years	17	1.68%	1.68%
i) OOS Admitted 4-5 Years	7	0.69%	0.69%
j) OOS Admitted 2-3 Years	17	1.68%	1.68%
l) OOS Sustaining	1	0.10%	0.10%
m) Affiliate	1	0.10%	0.10%
n) Complimentary	25	2.47%	2.47%
o) Law Student	87	8.60%	8.60%
p) Over 70, 25 yr Member	13	1.28%	1.28%
z) Mis-Marked	7	0.69%	0.69%
	<b>1,012</b>	<b>100.00%</b>	<b>100.00%</b>

	Count	Percent	Valid Percent
<b>L) New Section Members (This Month)</b>			
a) NY Admitted 8 Plus Years	1	0.10%	25.00%
d) NY Admitted 2-3 Years	2	0.20%	50.00%
e) NY Newly Admitted	1	0.10%	25.00%
	<b>4</b>	<b>0.40%</b>	<b>100.00%</b>

	Count	Percent	Valid Percent
<b>M) Judicial District</b>			
01	185	18.28%	18.28%

**Z) Areas of Concentration**

	Count	Percent	Valid Percent
Administrative Law	225	22.23%	
Agriculture	36	3.56%	
Antitrust and Trade	10	0.99%	
Appellate Law	95	9.39%	
Arbitration/Mediation	57	5.63%	
Banking	25	2.47%	
Bankruptcy/Insolvency	20	1.98%	
Business Law	97	9.58%	
Civil Rights	43	4.25%	
Commercial Litigation	129	12.75%	
Communication	8	0.79%	
Computer Law	8	0.79%	
Construction	90	8.89%	
Contracts	91	8.99%	
Corporate Law	112	11.07%	
Creditors' Rights and Collections	8	0.79%	
Criminal Law	33	3.26%	
Derivatives and Structured Products	4	0.40%	
Elder Law	30	2.96%	
Employee Benefits	11	1.09%	
Entertainment, Arts and Sports	10	0.99%	
Environmental Law	610	60.28%	
Ethics	12	1.19%	
Family Law	31	3.06%	
Finance and Securities	27	2.67%	
Food, Drug & Cosmetics	23	2.27%	
Franchise Law	8	0.79%	
General Practice	89	8.79%	
Government	116	11.46%	
Health Law	28	2.77%	
<b>Unknown</b>	<b>2</b>	<b>0.20%</b>	<b>0.20%</b>
	<b>1,012</b>	<b>100.00%</b>	<b>100.00%</b>

	Count	Percent	Valid Percent
Immigration Law	23	2.27%	
Insurance	76	7.51%	
Intellectual Property and Copyrights	36	3.56%	
International Law	35	3.46%	
Labor and Employment Law	56	5.53%	
Law Office Economics and Management	15	1.48%	
Leases And Leasing	53	5.24%	
Libel	5	0.49%	
Litigation - General Civil	205	20.26%	
Medical Malpractice	17	1.68%	
Municipal Law	208	20.55%	
Personal or Property Injury	68	6.72%	
Product Liability	63	6.23%	
Professional Liability	13	1.28%	
Public Contract	37	3.66%	
Public Utility	72	7.11%	
Real Property Law	256	25.30%	
Social Security Law	6	0.59%	
Tax - Corporate Business	18	1.78%	
Tax - Personal	10	0.99%	
Transportation	23	2.27%	
Trust and Estates Law	71	7.02%	
Workers Compensation	10	0.99%	
Zoning, Planning And Land Use	278	27.47%	
	<b>3,740</b>	<b>369.57%</b>	<b>100.00%</b>
			<b>100.00%</b>

## New Members of the Environmental Law Section for September 2016

<u>Name</u>	<u>Phone</u>	<u>Admit Date</u>	<u>Email</u>
<b><u>Judicial District: 01</u></b>			
<b>Sean J. Cassidy, Esq.</b> 15 Maiden Lane Suite 600 New York, NY 10038 <i>Dues Billing Category: NY Newly Admitted</i>	(212) 227-6262	04/27/2016	scassidy@rhllplaw.com
<b><u>Judicial District: 02</u></b>			
<b>Ayed Camille</b> 62 Ten Eyck Street Brooklyn, NY 11206 <i>Dues Billing Category: Undetermined</i>			camille.ayed@gmail.com
<b>Alexis Saba</b> 43 Devoe St. Apt 2 Brooklyn, NY 11211 <i>Dues Billing Category: Undetermined</i>	(607) 435-6842	07/01/2012	alexis.e.saba@gmail.com
<b><u>Judicial District: 03</u></b>			
<b>Charles E. Sullivan, Jr., Esq.</b> 419 Totem Lodge Road Averill Park, NY 12018 <i>Dues Billing Category: NY Admitted 8 Plus Years</i>	(518) 674-8246	01/01/1976	cathyandcharlessullivan@gmail.com
<b><u>Judicial District: 04</u></b>			
<b>Kathryn Jean Swimm, Esq.</b> 105 Old Coach Road Clifton Park, NY 12065 <i>Dues Billing Category: NY Admitted 2-3 Years</i>	(518) 577-8843	10/28/2015	kathryn.swimm11@gmail.com
<b><u>Judicial District: 08</u></b>			
<b>Lani Brandon, Esq.</b> 866 Tinkham Road Attica, NY 14011-9546 <i>Dues Billing Category: Undetermined</i>		01/14/2015	lanibrandon@gmail.com
<b><u>Judicial District: 09</u></b>			
<b>Benjamin S. Lowenthal, Esq.</b> Messner Reeves LLP 805 Third Avenue 18th Floor New York, NY 10022 <i>Dues Billing Category: Undetermined</i>	(646) 663-1860	08/20/2014	lowenthalben@gmail.com

## New Members of the Environmental Law Section for September 2016

<u>Name</u>	<u>Phone</u>	<u>Admit Date</u>	<u>Email</u>
<b><u>Judicial District: 10</u></b>			
<b>Lilia Factor, Esq.</b> Campolo, Middleton & McCormick, LLP 4175 Veterans Memorial Highway Suite 400 Ronkonkoma, NY 11779 <i>Dues Billing Category: Undetermined</i>	(631) 738-9100	01/01/1996	lfactor@cmmlp.com
<b>Tomas Andrius Klimas-Mikalauskas, Esq.</b> 91 Beecher Road North Babylon, NY 11703 <i>Dues Billing Category: Undetermined</i>		12/01/2013	tomasakm687@gmail.com

### **Judicial District: 11**

<b>Wayne F. Morgan, Esq.</b> 142-11 230th Place Springfield Gardens, NY 11413 <i>Dues Billing Category: NY Admitted 2-3 Years</i>	(718) 341-0781	08/19/2015	wayne.morgan836@gmail.com
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### **Judicial District: 99**

<b>Hon. Allan J. Goodman, Esq.</b> Allan J Goodman Judge Of The Superior Court Po Box 34577 Los Angeles, CA 90034 <i>Dues Billing Category: Undetermined</i>	(310) 260-3717	02/02/1970	
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**Total New Members: 11**



**Section Chair**  
**Lawrence P. Schnapf, Esq.**  
Schnapf LLC  
New York City

**Program Co-Chairs**  
**David J. Freeman, Esq.**  
Gibbons P.C.  
New York City

**Amy L. Reichhart, Esq.**  
Nixon Peabody LLP  
Rochester

# NYSBA

## Environmental Law Section

## Update on Hazardous Waste and Site Remediation Issues

Sponsored by the Hazardous Waste/Site  
Remediation Committee

New York State Bar Center, Albany, New York

Tuesday, November 15, 2016

This program provides 3.5 continuing legal education credit hours, consisting of 3.0 credit hours in Professional Practice (non-transitional) and .5 credit hours in ethics (transitional).



# SCHEDULE OF EVENTS

*This program will provide comprehensive updates on a wide variety of hazardous waste and site remediation issues, on both the federal and state level.*

*The morning panels will focus on key issues in federal Superfund jurisprudence (including arranger liability, divisibility, statutes of limitation, 106 vs. 107 actions and US EPA vs. state settlements); and under state hazardous waste statutes (including Title 13 revisions, soil vapor and the revisions to the New York State Brownfield Cleanup Program).*

*In the afternoon, a panel discussion, including attorneys and experienced technical professionals, will explore the emerging issue of PFOA in drinking water. The program will close with a session on the challenging issue of conflicts of interest at Superfund sites.*

## **10:00 a.m. – 10:15a.m. Introductions**

**Program Co-Chairs:** **David J. Freeman, Esq.**, Gibbons P.C., New York City  
**Amy L. Reichhart, Esq.**, Nixon Peabody LLP, Rochester

## **10:15 a.m. – 11:05 a.m. CERCLA Update**

- a. Arranger Liability
- b. Divisibility
- c. Statutes of Limitation
- d. 106 vs. 107 Actions
- e. EPA vs. State Settlements

**Speakers:** **Marla Wieder, Esq.**, U.S. Environmental Protection Agency, New York City  
**Camille Otero, Esq.**, Gibbons P.C., New York City

**Moderator:** **Matthew J. Sinkman, Esq.**, Assistant Attorney General,  
Environmental Protection Bureau, New York City

## **11:05 a.m. – 11:20 a.m. Break**

## **11:20 a.m. – 12:15 p.m. NYSDEC Update**

- a. Title 13 Update
- b. Soil Vapor
- c. Brownfields Program

**Speakers:** **Andrew Guglielmi, Esq.**, Section A. Chief, Remediation Bureau, NYS Department of  
Environmental Conservation, Albany  
**Steven C. Russo, Esq.**, Greenberg Traurig, LLP, New York City

**Moderator:** **Melody Scalfone Westfall, Esq.**, Scalfone Law PLLC, Syracuse

## **12:15 p.m. – 2:00 p.m. Lunch**

The Impact of the 2016 Elections on Federal and State Environmental Agendas

**Speaker:** **Christopher Goeken**, Executive Director, New York State Association of Public Broadcasting  
Stations, New York City

## **2:00 p.m.– 2:50 p.m. PFOA in Municipal and Private Water Supplies**

What are the issues, and what are the implications for New York environmental law and  
enforcement priorities?

**Speakers:** **Scott N. Fein, Esq.**, Whiteman Osterman & Hanna LLP, Albany  
**Michael Eberle**, TRC Solutions, Philadelphia, PA

**Moderator:** **Amy Kendall, Esq.**, Knauf Shaw LLP, Rochester



## SCHEDULE OF EVENTS

- 2:50 p.m. – 3:15 p.m.**     **Ethics**  
Addressing Conflicts of Interest at Superfund Sites
- Speaker:**                     **E. Gail Suchman, Esq.**, Stroock & Stroock & Lavan, New York City
- 3:15 p.m.**                     **Q & A/Conclusion**

## IMPORTANT INFORMATION

The New York State Bar Association's Meetings Department has been certified by the NYS Continuing Legal Education Board as an accredited provider. **Under New York's MCLE rule**, this program has been approved for up to 3.5 MCLE credit hours. The break down is 3.0 credit hours in Professional Practice (non transitional) and .5 credit hours in ethics. (transitional)

**Discounts and Scholarships:** New York State Bar Association members and non-members may receive financial aid to attend this program. This discount applies to the educational portion of the program only. Under this policy, any member of our Association or non-member who has a genuine basis for his/her hardship, if approved, can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to: Lisa Bataille via email: [lbataille@nysba.org](mailto:lbataille@nysba.org) or to her attention at New York State Bar Association, One Elk Street, Albany, New York 12207

**Accommodations for Persons with Disabilities:** NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Lisa Bataille at 518-487-5680.



NEW YORK STATE BAR ASSOCIATION  
**SECTION AND MEETING SERVICES DEPARTMENT**

One Elk Street  
Albany, NY 12207