This is the 3rd NGWA conference on ground water litigation and environmental law. The conference agenda features presentations from attorneys, consultants, and regulators covering a number of topics from current court cases to changes in regulations and the use of ground water models in the courtroom. The conference is the ideal setting to learn more about ground water law and make contacts with some of the nation’s leading expert witnesses and attorneys. The conference features a number of court cases and will include an explanation of the combination into federal court of a number of MTBE product liability lawsuits including State of New Hampshire v. Amerada Hess et al. Attendees will gain valuable information and receive a full proceedings which will serve as a desk reference to respond to the changes in the landscape of environmental law.

- Ground Water Contamination Cases
- Ground Water Law
- Science in the Courtroom
- Ethics for Attorneys and Expert Witnesses
- Data Quality Act
- International Ground Water Pollution
- Expert Witness Workshop
- Emerging Contaminants
- Daubert Challenges
- Data Visualization for Litigation
- Defensibility of Ground Water Models
- MTBE in Federal Court
- New Well Construction Regulations

Ground Water and Environmental Law Exhibitors

Daniel B. Stephens & Associates, Inc.
Groundwater & Environmental Services, Inc.
Ted B. Lyon & Associates, PC
Zephyr Environmental Corporation

Conference Contributor
TED B. LYON & ASSOCIATES
Thursday, July 21
7:30 a.m. – 4:00 p.m. Registration

PLENARY SESSION

8:30 – 9:00 a.m. Keynote: Allocation of Liability Based on Ground Water Modeling; City of Wichita vs. Trustees of the Apco Oil Corporation Liquidating Trust
Neal H. Weinfield, Esq., Bell, Boyd and Lloyd LLC; Douglas Soutter, Conestoga Rovers and Associates

9:00 – 9:20 a.m. The Impact of the Data Quality Act on Environmental Regulatory Science
Dallas A. Wait, Ph.D., Gradient Corporation

9:20 – 9:40 a.m. Expert Opinions in Environmental Litigation: Current Developments
David G. Ries, Esq., Thorp Reed & Armstrong, LLP

9:40 – 10:00 a.m. Break

Thursday, July 21

CONCURRENT SESSIONS

Expert Testimony

<table>
<thead>
<tr>
<th>10:00 – 10:20 a.m.</th>
<th>Lessons Learned in Representing the City of Dallas Against the Oil Industry in the Aftermath of the Largest MTBE and Gasoline Release into a Public Water Supply in U.S. History</th>
<th>Moderator: George Losonsky, Ph.D. CH2M Hill</th>
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<tbody>
<tr>
<td>Ted B. Lyon, Ted B. Lyon &amp; Associates</td>
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<tr>
<th>10:20 – 10:40 a.m.</th>
<th>What Am I Protecting? Recognizing the Resolving Ethical Dilemmas in Environmental Practice and Litigation</th>
<th>Moderator: Anita Highsmith, Highsmith Environmental Consultants Inc.</th>
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<tbody>
<tr>
<td>George Losonsky, Ph.D., CH2M Hill; Bradford C. Hanson, Louisiana Dept. of Transportation and Development; William H. Schramm, Louisiana Dept. of Environmental Quality; Michael Losonsky, Ph.D., Colorado State University</td>
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<tr>
<th>10:40 – 11:00 a.m.</th>
<th>Risk Assessment and Risk Characterization: Does It Work?</th>
<th>Confidentiality and Conflict Issues for Environmental Attorneys and Experts</th>
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<tbody>
<tr>
<td>N. Kathleen Strickland, Holland and Knight LLP</td>
<td>Michael Downey, Fox Galvin LLC and Adjunct Professor, Washington University School of Law</td>
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<th>11:00 – 11:20 a.m.</th>
<th>Wholesale Returns of Conjecture: Defensible Scientific Opinions in Court?</th>
<th>The Value of Microbiologic and Epidemiologic Consultation on Waterborne Disease Cases</th>
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<th>11:00 – 11:20 a.m.</th>
<th>Flawed Geoscience in Forensic Environmental Investigations: Part II, How Daubert Affects the Scope and Bases for Expert Opinions</th>
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<tr>
<td>Time</td>
<td>Session Title</td>
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<tr>
<td>11:40 – 1:00 p.m.</td>
<td>Lunch (on your own)</td>
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<tr>
<td>1:00 – 1:20 p.m.</td>
<td>Legal Limitations to State Water Permitting Statutes</td>
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<tr>
<td>1:20 – 1:40 p.m.</td>
<td>Residential Well Construction Inspection and Certification by the County: A New Public Health Program for Bucks County, Pennsylvania</td>
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<tr>
<td>1:40 – 2:00 p.m.</td>
<td>Mandatory Connection in the Courts and the State Legislatures</td>
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<tr>
<td>2:00 – 2:20 p.m.</td>
<td>EPA All Appropriate Inquiry and Maryland’s Voluntary Cleanup Program</td>
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<td>2:20 – 2:40 p.m.</td>
<td>Ground Water Act of South Korea</td>
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<td>11:40 – 12:00 p.m.</td>
<td>Panel Discussion (with open microphone)</td>
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<td>12:00 – 1:00 p.m.</td>
<td>Lunch (on your own)</td>
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<tr>
<td>1:00 – 1:20 p.m.</td>
<td>Three Dimensional Visualization of High Definition Data Enhances the Validity and Audience Understanding of Site Conceptual Models</td>
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<tr>
<td>1:20 – 1:40 p.m.</td>
<td>Use of Electronic Databases In Environmental Regulation, Policy Making and Public Participation</td>
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<td>1:40 – 2:00 p.m.</td>
<td>A Successful Data Visualization Technique Applied to Resolve Litigation</td>
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<td>2:00 – 2:20 p.m.</td>
<td>Petroleum Pollution of Ground Water in the Chirchik River Basin, Uzbekistan</td>
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<tr>
<td>2:20 – 2:40 p.m.</td>
<td>Nitrogen Ammonia Removal from Ground Water by Nitrification: Denitrification Process with a Novel Acryl Biofilm Carrier Material</td>
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Thursday Afternoon, July 21

PLENARY SESSION

4:00 – 4:20 p.m. Applying Visual Technology to Document Multiple Release Locations and Migration Pathways of NAPL
Jeffrey A. Johnson and Meng Ling, The RETEC Group Inc.

4:20 – 4:40 p.m. Application of a Web-Based System with Scalable Vector Graphics for Management and Visualization of Data in Support of Court Ordered Remedy at a Large Chromium Remediation Project, Hudson County, New Jersey
Todd Peirce, Ph.D., Locus Technologies Inc.; Dak Patel, MWH American; Joshua Jaffe, Parsons; Chris French, Honeywell International Inc.; Helen Fahy, Fahy Associates; John Morris, Honeywell International Inc.

4:40 – 5:00 p.m. Use of Graphics for Environmental Litigation Support: Examples from Real Cases
Nathan Epler, Ph.D., Neil M. Ram, Ph.D., and Mitchell A. Wiest, Roux Associates Inc.

5:00 – 6:30 p.m. Ice Breaker Reception (refreshments provided, cash bar)
Friday, July 22

8:00 a.m.-3:30 p.m.  Registration

8:30-8:50 a.m.  In re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation (MDL #1358, S.D. N.Y.): Mega-Combined MTBE Litigation in Federal Court — Victor Sher, Sher Leff LLP

8:50-9:10 a.m.  Daubert Challenges — N. Kathleen Strickland, Holland and Knight LLP

9:10-9:30 a.m.  Critical Failures of Proof and Theory in MTBE Litigation — Richard E. Morton, Esq., Womble, Carlyle, Sandridge and Rice PLLC; Steven C. Hart, P.G., Hart and Hickman PD.; Stanley B. Green, Esq., Womble, Carlyle, Sandridge and Rice PLLC

GROUND WATER MODELING IN THE COURTROOM
Moderator: Stanley N. Alpert, The Alpert Firm

9:30-9:50 a.m. Integrated Modeling of Water Rights Diversion, Recharge, and Return Flow Gordon McCurry, Ph.D., Camp Dresser and McKee Inc.

9:50-10:10 a.m. Break


10:30-10:50 a.m. Calculating MODFLOW Analytical Sensitivities Using ADIFOR for Effective and Efficient Estimation of Uncertainties — Amir Gamliel, U.S. Army Corps of Engineers; Mike Fagan, Rice University; Maged Hussein, U.S. Army Corps of Engineers

10:50-11:10 a.m. Uncertainty and Defensibility in Modeling Gary H. Hall, Vern Bennett, and John Church, Ph.D., GHH Engineering Inc.

11:10-11:30 a.m. The Role of Model Prediction Uncertainty in Resolving Water Resource Conflicts Associated with Mine Development — Vikas Tandon, Ph.D., and James Kilburg, Shaw Environmental Inc.

11:30-1:00 p.m. Lunch Provided

CONTAMINATION LITIGATION CASES
Moderator: Stanley N. Alpert, The Alpert Firm

1:00-1:20 p.m. Concentrated Agricultural Impacts on Water Resources: Litigation Update Randy Miller, Miller & Keffer, LLP


2:00-2:20 p.m. Effective Graphical Display of Ground Water Model Results for Environmental Litigation and Regulatory Negotiations — Karen E. Kelley and Brendan M. Harley, CDM Inc.

2:20-2:40 p.m. Break

CONTAMINATION LITIGATION CASES CONTINUED
Moderator: David G. Ries, Esq., Thorp Reed & Armstrong, LLP

2:40-3:20 p.m. Plaintiff Lawyers and Environmental Litigation — Evan K. Nyer, Joe Darby, and Carol Mowder, ARCADIS

3:20-3:40 p.m. Ground Water Contamination Litigation Under Pennsylvania's Storage Tank and Spill Prevention Act: A Case of Clear and Convincing Evidence (Sort of) — Jeffrey R. Hale, P.G., Geologic Services Corporation; Randall G. Hurst, Esq., Mette, Evans, and Woodside


4:00-4:20 p.m. Methods for Characterization of Exposure to Volatile Chemicals Due to Vapor Intrusion Thomas E. McHugh, Ph.D., and John A. Connor, P.E., Ground Water Services Inc.

4:20-4:40 p.m. Cleaning Up the Cold War: The Use of State and Federal Remedies to Address Groundwater Contamination at Formerly Used Defense Sites Steven G. Jones, Esq., Marten Law Group PLLC, Seattle, Washington

4:40-5:00 p.m. The Downfall of the Resource Conservation and Recovery Act in the Wake of September 11th Homeland Security Initiatives Jocelyn Cornbleet, J.D., The Misiorowski Law Group LLC
NGWA 2005 Course and Conference Calendar/

Call Customer Service at 800 551.7379 or visit www.ngwa.org for more information.

**August/**
17  ☁ Costa Mesa, California  
Safe Practice at Petroleum Drilling Sites #417
17  ☁ Costa Mesa, California  
The Microbiology and Chemistry of Environmentally Active Well Sites #127
17  ☁ Costa Mesa, California  
Ground Water Data Management: Developing and Implementing Standards for Data Integration, Analysis, and Reporting #402
17  ☁ Costa Mesa, California  
Workshop: Evaluating Monitored Natural Attenuation of MTBE and TBA #5040
17  ☁ Costa Mesa, California  
Workshop: Vapor Intrusion (a.m.)/API Interactive LNAPL Guide (p.m.) #5040
17  ☁ Costa Mesa, California  
Petroleum Hydrocarbons Preconference Field Trip #5040
18-19  ☁ Costa Mesa, California  
Petroleum Hydrocarbons and Organic Chemicals in Ground Water: Prevention, Assessment, and Remediation Conference #5040

**September/**
23-26  ☁ Tahoe City, California  
Theis Conference - Fall #5101
26-27  ☁ Portland, Maine  
2005 NGWA Focus Conference on Eastern Regional Ground Water Issues #5081
29-30  ☁ Westerville, Ohio  
Introductory Statistics for Environmental Professions #176

**October/**
3-4  ☁ Denver, Colorado  
Low-Cost Remediation Strategies for Contaminated Soil and Ground Water #142
4-5  ☁ Orange, California  
Fundamentals of Ground Water Geochemistry #235
5-6  ☁ New Orleans, Louisiana  
Estimating Times of Remediation Associated with Monitored Natural Attenuation and Contaminant Source Removal #157
5-7  ☁ Denver, Colorado  
Natural Attenuation for Remediation of Contaminated Sites #148
6-7  ☁ Orange, California  
Applications of Ground Water Geochemistry #485
17-18  ☁ Columbus, Ohio  
Ground Water Data Management: Best Management Practices and Procedures #403
17-18  ☁ Columbus, Ohio  
MODAEM and MODFLOW Using the Groundwater Modeling System (GMS) #252
17-19  ☁ Albuquerque, New Mexico  
An Introduction to Ground Water #133
18-19  ☁ Dublin, Ohio  
Construction Dewatering and Ground Water Control — Design and Application #351
19-20  ☁ Columbus, Ohio  
GIS Data Management for Ground Water Modelers: Site Characterization with HydroGeo Analyst #205
25-28  ☁ Princeton, New Jersey  
The MODFLOW Course: Theory and Hands-on Applications using MODFLOW-2000, MODPATH, MT3D, and WinPEST #259
26-27  ☁ Westerville, Ohio  
Assessment of Free Phase LNAPL Volume, Mobility, and Recoverability — Data Analysis and Modeling Techniques for Recovery System Design and Risk-Based Corrective Action #314

**November/**
1-4  ☁ State College, Pennsylvania  
Fracture Trace and Lineament Analysis: Application to Ground Water Resources Characterization and Protection #241
2-4  ☁ New Orleans, Louisiana  
Understanding Migration, Assessment, and Remediation of Non-Aqueous Phase Liquids (LNAPLs and DNAPLs) #311
7-8  ☁ New Orleans, Louisiana  
NGWA Remediation Conference: Site Closure and the Total Cost of Cleanup #5010

**December/**
13-16  ☁ Atlanta, Georgia  
2005 NGWA Ground Water Expo #6010