

March 2005



Vol. 44, No. 4

Lake Michigan States Section Air & Waste Management Association Newsletter[®]

WASTE MANAGEMENT CONFERENCE

March 2, 2005

Holiday Inn Select Naperville

9:00 a.m. - 5 p.m.

What's new with waste in Illinois, Wisconsin, Michigan and Indiana? How have regulatory priorities changed? Can you get a bigger bang for your waste management buck?

Mark your calendar now for this full-spectrum conference on local waste management issues. The Lake Michigan States Section again brings together environmental professionals from industry, government, environmental services and the legal community to discuss important developments in the management and regulation of industrial waste.

State and Federal officials will be on hand to outline new and impending changes to the regulations and discuss evolving agency priorities. Local experts will provide timely updates on major issues and outline ways to reduce both waste management costs and the associated long-term liabilities. As usual, there will be plenty of opportunities for networking in the exhibition area, luncheon and reception. Opportunities for sponsorship are available.

March 1, 2005

Holiday Inn Select Naperville

7:00 - 10:00 p.m.

RCRA CERCLA EPCRA PBT TRI UST LUST ERP PCB CSO

Acronyms got you down? This primer is perfect for environmental managers with expanding waste management responsibility, supervisors directing waste management professionals, and experienced professionals looking for a broader perspective on their field. The course will provide an overview of Federal and State regulations. The course instructor has extensive industrial experience and the handouts can serve the professional as a valuable reference for years to come.

See complete program on pages 4 & 5.



New Members

Steve Anderson

RK & Associates, Inc.

Larry Androskaut

Primary Energy

Tom Breisen

BEI

Karen Carlisle

ERS of Illinois, Inc.

Wessam Daoud

Earth Tech

Kim Dickey

ERS of Illinois, Inc.

Norman Englbrecht

Day International Chemical
Products Division

Steve Frey

URS Corporation

Glen Gabriel

Abbott Laboratories

David Green

Integrated Environmental
Solutions, Inc.

Natalie Grimmer

BP Products North America Inc.

Henry Henderson

Policy Solutions Ltd.

Caroline Hesse

Barnes & Thornburg LLP

W. Dean Kaiser

Status Environmental

Paul Kantola

Covanta Energy

Continued on page 12

UPCOMING EVENTS

Environmental Information on the Internet:



What's Out There about Your Company *And* You and Other Useful Information

Tuesday, April 12, 2005
IIT Stuart School of Business
9:00 am to 12:00 noon

With 1000's of sites coming onto the Internet every hour, finding the information that you need to be more effective in your career is like navigating a maze. Depending upon your skills and experience this Internet maze may be simple or complex. This seminar has been designed to introduce you to some of the better sites on the World-Wide Web and let you see for yourself what they have to offer.

This will be an interactive seminar with Internet connected terminals available to every participant. The speakers will take you to many of the key environmental sites on the Internet including the US EPA and IEPA sites (did you know that Illinois permits are accessible and viewable on the Web?), environmental mapping sites, databases, consolidated news and information sites, and more.

Cost: \$80 for A&WMA members
\$125 for non-A&WMA members (*includes one-year local membership*)
\$55 for government employees
\$20 for students

Contact Robin Pelsis at (847) 202-0418 or robin@lmawma.org to register.

2005 Annual Section Membership Luncheon Meeting

May 6, 2005

Parthanon Restaurant
Halsted Street
Chicago
11:45 a.m.



This meeting is a favorite event of Lake Michigan States Section members and always an enjoyable time for attendees. You will have an opportunity to hear what A&WMA, as a national organization, is planning. Special Guest Speaker is A&WMA President, Edith Ardiente - a previous President of the Lake Michigan States Section. This is a great event to meet and exchange ideas with other environmental professionals. The incoming 2005/2006 Board of Directors of the Lake Michigan States Section will be announced as well as the recipient of the ever popular Perry Fisher Award.

Cost to attend: \$40 members
\$60 non-members

This is an excellent opportunity to introduce A&WMA to fellow environmental professionals. Bring a guest with and the cost for their attendance is only \$45.

To register: Contact Robin Pelsis at (847) 202-0418 or robin@lmawma.org.

2003-2004 SEMINAR SCHEDULE

Below is the current conference schedule. If you are interested in assisting with any of the events please contact the conference chair or Programs Chair, Jeffrey Wentz at (312) 575-3946 or jwentz@mbakercorp.com.

In an effort to control costs, we are always interested in offers of meeting space at reduced or minimal costs. If you can provide meeting space for an event, please contact the conference chair.

Date	Title/Topic	Location	Event Chair/s
March 1, 2005 11:00-2:00	United Recycling Tour	United Recycling West Chicago	Debra Jacobson (630) 472-5019 Bob Glavin
March 1, 2005 3:00 p.m.	Waste Primer	Holiday Inn Select Naperville	Michael Reese (847) 685-9227 Tom Tramm (847) 256-3414 Debra Jacobson (630) 472-5019
March 2, 2005	Waste Conference	Holiday Inn Select Naperville	Michael Reese (847) 685-9227 Tom Tramm (847) 256-3414 Debra Jacobson (630) 472-5019
April 12, 2005	Internet Information	IIT Stuart Graduate School of Business	Craig Simonsen (312) 739-6223 George Nassos (312) 906-6543 Paul Farber (312) 269-2261
May 6, 2005	Section Annual Luncheon	Parthenon Greektown	Jeffrey Wentz (312) 575-3946
June 2005	1st Annual Golf Outing	<i>Location Needed</i>	Suresh Relwani (630) 393-9000
June 21-24 2005	98th Annual Conference & Exhibition	Minneapolis, MN	A&WMA (412) 232-3444

VOLUNTEERS NEEDED

LMSS BOARD OF DIRECTORS

It's that time of year. The Board of Directors is working on the slate of candidates for the 2005/2006 Board of Directors. If you are interested in serving on the Board of Directors for the Lake Michigan States Section, please contact Jeff Wentz at (312) 575-3946. If you're not interested in serving on the Board of Directors at this time, but would like to become more involved, please contact Jeff as committees and advisory panels are also being developed.

WEBMASTER ASSISTANT

Want to learn a little about web site maintenance without jumping head first into cyberspace? We are looking for an assistant to our webmaster to help with maintaining the www.lmawma.org web site. This is an excellent opportunity to get your feet wet. It only takes a few hours per month. Coaching will be provided. This is a good way to get familiar with web site design and a great way to get involved with the Lake Michigan States Section.

Interested? For more information contact Robert Szczesniak at roberts@huffnhuff.com.

WASTE CONFERENCE

Conference Agenda

Tuesday - March 1

- 11:00 a.m. **Electronic Recycling Facility Tour**
- 2:00 p.m. United Recycling Industries - West Chicago
- 3:00 p.m. **Short Course: Waste Regulation Primer**
- 6:00 p.m. **Todd Dykton**, Principal - Dykton Associates

Wednesday - March 2

2005 Waste Conference

- 8:00 a.m. Registration, Exhibits, Networking & Continental Breakfast
- 9:00 a.m. Welcome and Introductions
- 9:10 a.m. **Opening Address**
New Initiatives in Waste at Region 5
Bruce Sypniewski, Deputy Director, Waste, Pesticides and Toxics Division
US Environmental Protection Agency, Region 5
- 9:30 a.m. **State Regulatory and Enforcement Policy Updates**
David Edwards, Environmental Enforcement Specialist
Department of Natural Resources, State of Wisconsin
Chuck Grigalauski, Regional Manager
Bureau of Land, Illinois Environmental Protection Agency
- 10:30 a.m. Break
- 10:45 a.m. **State Regulatory and Enforcement Policy Updates**
Tim McGarry, Chief, Office of Civil Enforcement Coordination
Michigan Department of Environmental Quality
Bruce Palin, Deputy Assistant Commissioner, Office of Land Quality
Indiana Department of Environmental Management
- Noon **Luncheon**
The Future of Superfund
Charles Sutfin, Deputy Director
Office of Superfund Remediation & Technology Innovation
U.S. EPA

WASTE CONFERENCE

Conference Agenda

1:45 p.m. ***New Legal Developments***

Civil and Criminal enforcement Process for Dumping

Adam Bottner, Bureau Chief, Environmental Crimes Bureau
Office of Illinois Attorney General

Enforcement Priorities & Remediation Wastewater Discharges

Ted Deming, Enforcement Department
Metropolitan Water Reclamation District of Greater Chicago

Electronics Recycling Requirements and Enforcement

Lucy Stanfield, Environmental Protection Specialist, USEPA Region 5
Bob Glavin, President & CEO, United Recycling

2:45 p.m. Break

3:00 p.m. ***Liability Issues***

All Appropriate Inquiries Rule

David L. Rieser, Partner
McGuireWoods LLP

RCRA & CERCLA Re-openings: Are You Overlooking Potential Liabilities?

Michael Reese, LPG, Corporate Development Manager
Atwell-Hicks

EMS: Vehicle for Corporate Environmental Responsibility

Sanjay Patel, EHS Manager, Melrose Park Plant
International Truck and Engine Corporation

4:30 p.m. Reception

NAME: _____

COMPANY: _____

ADDRESS: _____

CITY: _____ ST _____ ZIP _____

PHONE: _____ FAX: _____

E-MAIL: _____

REGISTRATION:

United Recycling Tour Waste Recycling Primer - \$75.00

2005 Waste Conference \$170 Member • \$220 Non-Member* • \$100 Gov. Employee • \$50 Student
**Non-member fee includes a one-year Local membership.*

Payment via: check Visa Mastercard American Express Amount Paid: \$ _____

Credit Card # _____ Exp. Date: _____

Signature: _____

To register - fax or e-mail
your registration to:
Robin Pelsis, LM-A&WMA
FAX: (847) 202-0427
robin@lmawma.org

AGPRO REVISITED

*By: James Harrington,
Partner, McGuireWoods LLP*

In our last news letter there were two articles on the Illinois Appellate Court decision in *People v. Agpro, Inc.*, 177 Ill.App 3d 1011(2004) which held that the Attorney General and Illinois EPA could not obtain a mandatory injunction to correct violations of the Environmental Protection Act pursuant to 415 ILCS5/42(e) (West 2002). The Attorney General's office maintained that this reversed years of practice and obtained an amendment to the Environmental Protection Act on the grounds that it was merely restoring the original interpretation of the Act. On February 3, 2005 the Illinois Supreme Court upheld the Appellate Court decision and rejected all of the Attorney General's arguments on a six to nothing vote. The Supreme Court agreed that the plain language of the statute as originally written only allowed the courts to restrain or prohibit conduct and the courts could not issue a mandatory injunction requiring the defendant to perform acts. The impact of this decision in the future is limited by the amendments to the act specifically allowing mandatory injunctions in the future. Its impact on pending cases is uncertain and will await court decisions. It is still being studied by the Attorney General's office.

PLAIN SPEAKING The Supreme Court Limits Contribution Actions Under CERCLA

By: David L. Rieser, Partner, McGuireWoods LLP, Chicago, IL

In *Cooper Industries v. Aviall Services, Inc.*, ("Aviall"), the United States Supreme Court drastically limited the right of potentially responsible parties ("PRPs") to bring contribution actions to recover response costs from other PRPs at contaminated properties. The Court applied a plain language interpretation to the contribution section of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA" or "Superfund") to find that it did not allow contribution actions to be brought by PRPs except in instances where they had already been sued by or settled with the federal or state government or a private party. In doing so, the Court reversed what had been a common practice allowing such actions.

A brief explanation of CERCLA is useful in understanding the magnitude of the Court's decision. Section 107 of CERCLA allows "all persons" who incur response costs for removing or remediating a release of hazardous substances from a facility to recover those costs from four specific classes of responsible persons: current owners and operators; past owners and operators from the time when the release occurred, people who

arranged for the disposal of hazardous substances at the facility and people who transported material to be disposed at the facility. As interpreted by the courts, Section 107 allows the United States, a state, or private parties that incur response costs to recover those costs from any or all responsible parties. The responsible parties' liability is joint and several, meaning that any individual party could be liable for the entire cost of remediating the site.

As originally drafted, CERCLA had no language specifically allowing contribution actions but several courts held that the ability to bring such actions could be implied from the broad language of Section 107. They reasoned that the broad scope of joint and several liability required that PRPs have some mechanism to allocate costs, as allowed in product liability and other tort actions.

Congress specifically authorized contribution actions by including the following language in Section 113(f)(1) as part of the Superfund Amendment and Reauthorization Act of 1986.

Continued on page 7

PLAIN SPEAKING (con't.)

Any person may seek contribution from any other person who is liable or potentially liable under section 9607(a) of this title, during or following any civil action under section 9606 of this title or under section 9607(a) of this title.

Numerous courts looking at the cases brought under both Section 107 and Section 113 held that persons liable under Section 107 could only bring contribution actions under Section 113. These courts argued that the joint and several liability associated with Section 107 is inappropriate to actions among PRPs where liability was required to be apportioned equitably. Courts were concerned that PRPs bringing Section 107 actions could obtain a finding that the defendant PRPs in such actions should bear all of the liability for the site, despite the statutory responsibility borne by the plaintiff PRPs. Courts found Section 113 contribution actions preferable since they required the court to allocate liability equitably among all the parties.

The underlying case in *Aviall* was a fairly typical CERCLA contribution action. Aviall purchased manufacturing property from Cooper which turned out to be contaminated by both of their activities. In response to a demand from the Texas Natural Resource Conservation Commission, Aviall remediated the property and

sought to recover its response costs from Cooper. Cooper obtained a dismissal of Aviall's complaint, arguing that the language of Section 113(f) of CERCLA only authorized contribution actions in the event of a state or federal settlement or complaint. The dismissal was originally upheld by a panel of the Fifth Circuit Court of Appeals, but this decision was reversed by a ruling of the entire court, which held that such contribution actions were allowed by Section 113.

The Supreme Court reversed this appellate decision. The Court held that the first sentence of Section 113 meant that contribution actions could be brought only "during or following any civil action" regarding a Section 106 order issued by the USEPA or a cost recovery action brought pursuant to Section 107. The Court ruled that this interpretation was consistent with Section 113(f)(3) which authorized contribution actions after settlements and with Section 113(g)(3) which set deadlines for filing contribution actions based on the date of a judgment or settlement. The Court held that since the plain meaning of the language was clear there was no need to address historical interpretations or how the Court's reading of this subsection fit into the context of the statute. Because there was no pending civil action under Section 106 or 107, the Court reversed the Appellate Court and held that

Aviall's complaint should be dismissed.

All nine judges agreed with the Court's ruling as to the meaning of Section 113(f)(1) yet two judges dissented to the result dismissing the complaint. These judges argued that the Court should rule that Cooper could have sued Aviall under Section 107 and that it would still be able to recover its response costs from Aviall despite the inability to bring a contribution action under Section 113. The Court's majority found that this issue was not before them and that they could therefore not make such a decision.

While clearly stated, the Court's decision will create numerous problems. Even at sites where the EPA is involved, the parties may demand that EPA issue a Section 106 order, file a complaint, or obtain a consent decree so as to confirm their right to bring contribution actions against non-participating parties. Parties in Aviall's position may choose to reject a state's demand to remediate a site, and face the ensuing consequences, in order to preserve these contribution rights. Similarly, parties may consider whether to bring the USEPA into what would otherwise be private disputes regarding the resolution of contaminated sites for the same reason. At best, this will delay resolution of such sites and at worst require substantial negotiation or litigation to resolve the

Continued on page 9

TECHNOLOGY BREAKTHROUGH IN PARTS CLEANING

Over one million small parts washers consisting of a sink mounted on a drum are currently in operation at various manufacturing and maintenance operations throughout the U.S. By far the most popular cleaning solution used in parts washers today is mineral spirits solvent. Mineral spirits are good for dissolving oil-based debris from dirty parts with a minimum of effort. However, three major problems exist with respect to mineral spirits usage, including:

1. **Safety:** Mineral spirits are considered combustible materials and require appropriate workplace safety procedures. Inhalation of vapors from mineral spirits can cause health problems.
2. **Inefficiency:** Mineral spirits become dirty with use requiring frequent replacement, which is both expensive and wasteful.
3. **Pollution:** Mineral spirits are the source of a growing pollution problem because they are classified as volatile organic compounds (VOCs). They readily evaporate and contribute to smog and greenhouse gas problems.

Engineers at the Illinois Waste Management and Research Center (WMRC) have developed an aqueous parts washing system that

offers cost effective solutions to these problems. The system (called the "Grease Gator") combines innovations from aqueous chemistry development with separation technology to create a technology that cleans better than mineral spirits, is relatively safe to use, and generates very little waste. It is now commercially available from Solvent Systems, Inc. of Elk Grove Village, Illinois (<http://www.solvent-systems.com/GreaseGatorHome.htm>).



As shown above, the Grease Gator has a parts washing sink for the user

Grease Gator's innovations

Extensive testing performed by WMRC confirms that the grease gator chemistry outperforms mineral spirits on most major soils encountered in maintenance applications. The Grease Gator parts washing equipment includes a standard steel or stainless steel sink mounted on a 30-gallon

vessel. A patented separator system is placed in the vessel that continuously splits oil from the solution as it is being used to wash parts. The oil is collected in a separate chamber and can be regularly purged from the system and can be managed with other waste oil sources. The cleaning solution will stay clean for many months, needing only occasional additions of water and chemical to replace evaporation and drag-out losses.

Dynamic Manufacturing, a company that specializes in the remanufacture of all makes and models of torque converters and transmissions, successfully implemented this technology on its production line to clean large volume of parts. According to Pedro Caraballo, Director of Environmental Health and Safety at Dynamic, the Grease Gator has been an improvement over solvent. It reduces chemical and maintenance costs, and improves employee morale because it cleans so well and so easily. Every other day, a five-gallon bucket of oil was decanted from the system's oil separation mechanism. A simple turn of a valve allows the used oil to be drained from the machine keeping the solution clean.

The system has been tested in a wide range of applications including university garages, transmission re-builders, national laboratories, railroad maintenance facilities, and automotive dealerships. Users of the system have

PARTS CLEANING

(con't.)



Purging oil from the collection chamber

identified a variety of advantages of the Grease Gator over traditional small parts washing systems, including:

- Reduced cost through less chemical usage and reduced waste
- In-process purification. The fluid is purified as it is being used without additional process steps
- Improved safety and compliance. The fluid is relative safer to employees and the environment
- Simple to implement

For more information about the Grease Gator System, contact Dr. Tim Lindsey at the Illinois Waste Management and Research Center tlindsey@wmrc.uiuc.edu 217.333.8955.

PLAIN SPEAKING (con't.)

language of any order or decree. In any event, the resolution of such sites will become more expensive and time consuming.

There is great concern that this ruling will diminish voluntary remediation programs since the party doing the cleanup will have fewer (if any) mechanisms to recover their costs. It is unlikely that the USEPA will use scarce resources to issue additional orders or file additional consent decrees to accommodate persons seeking to remediate property when the USEPA is not otherwise involved. Parties might ask states to bring such actions but there are substantial questions as to whether state settlements under state law will provide a basis to bring Section 113 contribution actions. While the volume of government filed cases is unlikely to go up, the impact on voluntary remediation is hard to gauge: much voluntary remediation is done for business purposes without significant expectation of response cost recovery.

Certainly the decision will force a closer analysis of state law recovery mechanisms. In Illinois, courts have held that the Illinois Environmental Protection Act does not allow for private cost recovery actions, but that parties subject to environmental liability could bring actions under the Illinois Contribution Act even in the absence of any state filed

complaint. Other states have varied options depending on their environmental legislation and their contribution case law.

Finally, the *Aviall* decision may have a significant impact on environmental issues in transactions. Theoretically, *Aviall* changes the risk calculus by precluding a potential recovery mechanism, which may or may not have been ruled out by the transaction documents. *Aviall* also highlights the need for thorough environmental due diligence, because of the lack of a key recourse but also because of the USEPA's proposed rules on All Appropriate Inquiry. These set minimum due diligence requirements in order to claim advantage of the innocent purchaser, bona fide purchase and contiguous property owner defenses.* The ability to prove these defenses may allow the purchaser to bring a Section 107 action as a non responsible party instead of being precluded from bringing a Section 113 contribution action as a PRP.

In short, *Aviall* will have a sweeping impact on all parties involved in CERCLA actions and on transactions allocating environmental risk.

**See the December 2004 LM-A&WMA newsletter (Vol. 44, No. 3).*

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- Academia

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Engineer

RKA is a multi-media environmental consulting firm located in Warrenville, Illinois. We are looking for an engineer with 3 to 5 years of experience in industrial multi-media environmental compliance issues. The successful candidate should have at least a Bachelors of Science Degree in engineering, have experience in the preparation of environmental permit applications and reports, and possess good project management and written communication skills. Interested candidates should contact John Pinion at jpinion@rka-inc.com.

Design Engineer

A leading supplier of thermal and catalytic VOC control systems and energy conservation equipment has an immediate opening for:

Design Engineer: The candidate should be experienced in design, installation, and manufacturing of all thermal treatment systems or at a minimum have experience with industrial air handling and combustion engineering.

Send Resume to:

Catalytic Products International
980 Ensell Road
Lake Zurich, Illinois 60047
Attn: Human Resources
Or email to: info@cpilink.com

MEMBER NEWS

Governor-elect Mitch Daniels Names Northwest Indiana Business/ Environmental Professional Commissioner of IDEM

Governor-elect Mitch Daniels announced the appointment of a longtime environmental expert from Northwest Indiana to lead the Indiana Department of Environmental Management (IDEM).

“Economic development and strong environmental protection can co-exist,” said Governor-elect Daniels. “We will maintain high standards, but we will make faster and more consistent decisions, so Hoosier workers and farmers are no longer held back, and we stop driving new investment into other, more responsive states.”

Governor-elect Daniels named Thomas Easterly of Valparaiso to serve as Commissioner of IDEM. Easterly has worked on environmental issues in both government and business for 30 years. He is currently President of Environmental Business Strategies, Inc. He has previously held the positions of Manager, Environmental Planning and Improvement for NiSource and Superintendent of Environmental Services for Bethlehem Steel’s Burns Harbor Division.



Prior to entering the private sector, Easterly held numerous positions in the Air and Solid Waste Divisions of the New York State Department of Environmental Conservation.

Easterly, 56, has a proven track record developing partnerships between industry and environmental groups. He helped start the Bethlehem Steel Community Advisory Committee to bring together Plant Management, the Steelworkers Union, Environmental Activists, EPA, IDEM, IDNR, NPS and residents surrounding the Burns Harbor Plant to improve the facility’s environmental program.

He also worked with the Indiana Dunes Environmental Learning Center to unite environmental advocates, educators, business representatives, and the National Park Service to improve children’s understanding of the relationship between man and the natural environment.

“Mitch knows IDEM can uphold its mission while becoming a partner rather than a barrier to the pursuit of more and better jobs in Indiana,” said Easterly.

MEMBER NEWS

TRC Awarded \$15.7 Million Exit Strategy® Contract

TRC announced that it signed an Exit Strategy® contract valued at \$15.7 million with Tecumseh Products Company to assume responsibility for the environmental closure of the Hayton Area Remediation Project (HARP) located in New Holstein, Wisconsin.

In this transaction, TRC assumed the guaranteed fixed price liability for the cleanup of PCB sediments which may have originated from the Tecumseh Products Company New Holstein, Wisconsin plant site and culminated at a 30 acre pond located a few miles downstream from the facility. TRC is tasked with completing the investigation, design, remedial implementation, and monitoring obligations for the project. TRC is also a party to a Consent Order

with the Wisconsin Department of Natural Resources, the primary environmental oversight agency for the cleanup, which recognizes TRC's responsibility to complete the required work.

A comprehensive insurance and risk management program for the project has been structured with AIG Environmental, a member company of American International Group, by The Hylant Group. This program, with a combined policy limit of \$41 million, protects against known and unknown environmental issues at the sites for a period of 20 years, substantially longer than the anticipated duration of the project.

“The TRC Exit Strategy® program, in conjunction with the associated environmental insurance program, provided the degree of financial certainty we needed to best resolve our environmental compliance

obligations for this project,” said James S. Nicholson, VP, Treasurer and CFO, Tecumseh Products Company. “This program is consistent with our desire to be environmentally responsible in that it funds a comprehensive solution and aids in the orderly resolution of the cleanup.”

“This transaction reveals our continuing commitment to resolve the complex environmental obligations of our clients,” said Mike Salmon, TRC Senior Vice President. “The HARP project assigns to us the regulatory compliance requirements that have concerned Tecumseh for several years in the past, and would have continued for several years into the future. From this point forward, we will substitute for our client in the role of completing the regulatory requirements for the affected area.”



New Members (con't.)

Thor Ketzback

Bell Boyd & Lloyd

Scott Knoepke

Weaver Boos Consultants

Steve Kooy

Haworth

Curt Michols

Abbott Laboratories

Chris Newcomb

Karaganis, White & Magel Ltd.

Kate Norris

Air Toxics Ltd.

James Peyton

Baker Environmental, Inc.

Anjana Phadnis

Abbott Laboratories

Patrick Phelan

CFM Companies

Robert Platt

Mostardi Platt Environmental

Allen Resney

1st Environmental Testers

David Rieser

McGuireWoods LLP

Brenda Schrohe

CH2M Hill

Hank Seemann

ERM

Ronald Simpson

Michael Smith

Green Smith, Inc.

Jason Steinhauer

Weaver Boos Consultants

Mcleod Stephens

TDC Filter Manufacturing, Inc.

Marty Stromberger

RMT, Inc.

Chetan Trivedi

Boelter-Yates Inc.

Steve Tyrolt

A. Finkle & Sons Co.

Joe Welch

Denso Mfg. Michigan

Mark West

Eisenmann Corp.

MEMBER NEWS



Arthur J. Gallagher Risk Management Services, Inc. is pleased to announce the promotion of *Diane Bond* to Account Executive. She earned and received her promotion because of her consistent commitment to quality service and her increasing responsibilities and successes with clients, insurers, renewals and new business opportunities.

Arthur J. Gallagher Risk Management Services, Inc. is also pleased to announce the promotion of *Anthony Lehnen* to Area Vice President. He earned and received his promotion because of his successes in producing new business for GERI and GSRS, exceptional client service, and quality brokerage, since joining us in February 2003.

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Mike Cycyota from **Baxter Corporation**, *John Angelo* from **RMT Consultants** and *Gary Williams*, **Delta Environmental Consultants** were all elected to the Board of Directors of the *Auditing Roundtable* recently for two-year terms. Mike, John and Gary are all from the Chicago area, which currently represents 1/3 of the National Board of the Roundtable.

The Auditing Roundtable is a professional organization dedicated to furthering the development and professional practice of environmental, health, safety and sustainability auditing. It was

founded in January 1982 by ten Fortune 50 companies and currently has approximately 600 members. The Roundtable's mission is to enhance the practice of environmental, health, and safety auditing worldwide by creating a forum to advance ideas, policy & standards and member interaction and to represent the voice of the professional EHS auditor. Additional information on the Auditing Roundtable can be found at www.auditing-roundtable.org.

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Frederick W. Boelter, CIH, PE, Chairman and Principal Scientist of **Boelter & Yates, Inc.** has been selected as the 2005 recipient of the Edward J. Baier Technical Achievement Award by the American Industrial Hygiene Association.

Established in 1984 in honor of Edward J. Baier, this award is presented to the individual, company, academic institution, organization or association that has made the most significant contribution to industrial hygiene in recent years. "There is no more deserving candidate for this award," said Tom Kowalski, President of Boelter & Yates, Inc. "During his career, Fred has made a positive impact in advancing the science of industrial hygiene and occupational health." Mr. Boelter has over 30 years experience in the field of industrial hygiene following his graduation from Purdue

University in 1973. In 1985 he started his own consulting business. He is a frequent lecturer and author on a variety of topics such as retrospective exposure assessments, risk assessments, vapor intrusion and product stewardship. The award will be presented in May at the American Industrial Hygiene Conference and Exhibition in Anaheim, California.

Boelter & Yates, Inc., a licensed engineering firm which provides environmental, health and safety solutions to industry, commercial developers, property managers, contractors, insurance companies, architects and law firms announces the promotion of *Catherine E. Simmons, CIH*, to Director of Industrial Hygiene services.

Ms. Simmons is a Certified Industrial Hygienist in Comprehensive Practice with Subspecialty Certification in Indoor Environmental Quality with over 20 years of experience. She has extensive experience in risk assessment, product liability, retrospective exposure and dose determinations, asbestos, occupational safety, ISO 14001 Environmental Management Systems and OSHA Voluntary Protection Programs. Cathy is a member of the American Academy of Industrial Hygiene (AAIH) and



MEMBER NEWS

the American Industrial Hygiene Association (AIHA). She is

Chair of the Modeling Subcommittee, Exposure Assessment Strategies Committee for the AIHA and Secretary of the Chicago chapter of AIHA. She has a bachelor of science degree in Environmental Health / Industrial Hygiene from Illinois State University. Prior to joining Boelter & Yates she held various positions within industry, state and local government.

Boelter & Yates, Inc's. Building Technologies Group is pleased to announce that **Mr. Joseph R. Territo** has joined the firm as a Forensic Architect.

Mr. Territo has over 12 years experience in architectural problem investigations and project management, with a focus on roofing systems, waterproofing systems, windows and storm damage investigations. His project experience includes façade inspections and air and water infiltration testing for residential, commercial and institutional building types.

At Boelter & Yates, Mr. Territo will work closely with our staff of architects and environmental scientists to help determine the cause and origin of moisture which has damaged building elements or caused mold and bacterial

contamination in buildings. His expertise will also be utilized to design and specify repairs or building modifications aimed at eliminating moisture problems.

Mr. Territo holds a Bachelor of Architecture degree from Ball State University, Muncie, Indiana. He is active in trade and professional organizations including the National Roofing Contractors Association (NRCA) and the Chicago Roofing Contractors Association (CRCA).

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Burns & McDonnell is pleased to announce **Christopher J. Blume, P.E.** has joined the Chicago office as an associates environmental engineer.

Mr. Blume has extensive experience managing the technical and regulatory aspects of environmental compliance for manufacturing facilities. He has completed a diverse array of projects related to air and wastewater permitting, environmental management, due diligence and site investigation and remediation; with significant experience in the secondary aluminum, printing, ink and specialty chemical, and paper and allied products industries.

Mr. Blume brings a wealth of experience in the area of environmental engineering and consulting to the firm. He earned his bachelor's degree in civil engineering at Purdue University's West

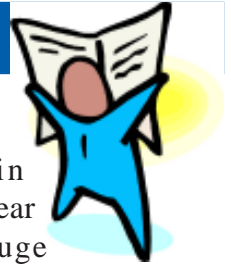
Lafayette campus, and his master's degree in environmental engineering at University of California at Berkeley. He is a licensed professional engineer in Illinois and a member of the Air & Waste Management Association.

Most recently, Mr. Blume completed a three-year environmental consulting assignment in France. He joins Burns & McDonnell to lead compliance and permitting efforts in the Chicago area.

Dr. Vasudevan (Raj) Rajaram joined **Burns & McDonnell** in January 2005. Raj brings 30 years of remediation and environmental management experience to the Environmental Practice Group at Burns & McDonnell. He is the current Chair of the Environmental Law Committee at the Chicago Bar Association. Raj holds a Ph.D. from the University of Wisconsin, and a J.D. from the IIT Chicago Kent College of Law. He is a licensed Professional Engineer in Illinois.

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Bill Graham, P.E. announces a new location for **COMPLIANCE PARTNERS**. They can now be reached at 247 Spring Creek Circle, Schaumburg, IL 60137. Phone: 630-730-0060, or 847-517-2710 fax. Also, congratulations to Bill on his recent wedding.

MEMBER NEWS



RMT is pleased to announce a position change. **Paul Turpin, P.E.** has accepted the position of Corrective Action Engineering Team Leader in RMT's Madison office. Paul has been with RMT for over 23 years, holding positions such as Senior Environmental Engineer, Senior Project Manager, and Client Service Manager on a range of projects, primarily for the metals industry.

RMT is also pleased to announce that **Sean Brantl** has joined Buhler Analysis Systems in Frankfort, Illinois as a Market Development Manager.

Sean is a graduate of Purdue University having concentrated in environmental science. His industry experiences include extensive customer consulting on location. He has recently returned from Factory product / application training in Germany.

Buhler Analysis Systems is a joint effort between RAECO and Buhler in Germany. Sean shares

office and factory space with RAECO in Frankfort.

RMT Columbus welcomes two new staff. **David Heffernan** joins RMT's Dublin, Ohio (Columbus) office as a chemical engineer. David is a recent graduate of The Ohio State University and specialized in environmental option within the chemical engineering program. During his education, David gained valuable experience in the environmental field with his co-operative learning. David will be providing RMT clients with technical support for environmental air permitting and air pollution control projects in several states.

Mike Maggiore joins RMT's Dublin, Ohio (Columbus) office as an environmental scientist. Mike is a recent graduate of Virginia Tech and has several years experience in the construction industry. Mike will conduct work in the areas of soils and groundwater sampling, site work planning and execution, and in

addition, he is certified in executing nuclear density gauge testing for soil compaction and concrete strength tests. Mike will be performing construction observation and documentation duties, as well as providing construction quality assurance on RMT projects.

Ray Reott is proud to announce that **Jorge Mihalopoulos** has joined the **Reott Law Offices, LLC** as an associate. Jorge is a 2004 graduate of the Chicago-Kent College of Law. Jorge also is working on a Master of Science in Environmental Management at the Stuart School of Business at the Illinois Institute of Technology. You can reach George at jtm@reottlaw.com or 312-332-7545 or by mail starting in February 2005 at our new location - Reott Law Offices, LLC, Suite 650, 35 East Wacker Drive, Chicago, Illinois 60601.



Send Us Your News!

LM-A&WMA wants to share your news. Send your announcements of new employees, new location, awarding of a job, etc. to robin@lmawma.org. Your announcement will be included in the next issue of this newsletter. Newsletters are published on a quarterly basis.

We welcome and solicit articles of general interest to our members.



Lake Michigan States Section
Air & Waste Management Association
11 Pleasant Hill Blvd.
Palatine, IL 60067

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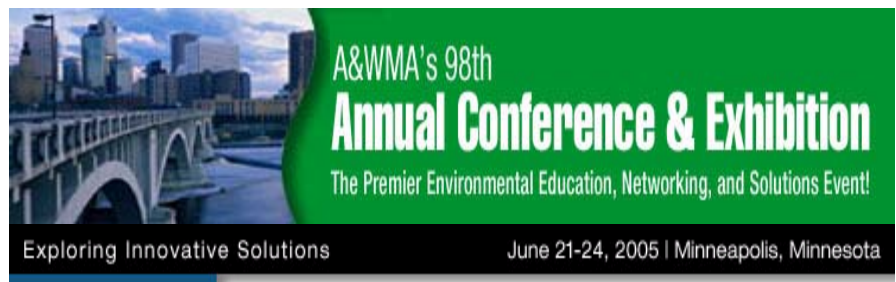
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