



**In-House Counsel Committee**  
**Cosponsored by Section of Litigation, Corporate Counsel Committee**

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Presents a Quick Teleconference program  
**This program does not offer CLE credit.**

## **“Financial Assurance: Is the Government Asking Too Much?”**

**Wednesday, January 26, 2011**

11:00 a.m. – 12:30 p.m. Eastern Time / 10:00 a.m. – 11:30 a.m. Central Time  
9:00 a.m. – 10:30 a.m. Mountain Time / 8:00 a.m. – 9:30 a.m. Pacific Time

### **Program Overview:**

Companies have long been responsible under RCRA and analogous state law to demonstrate adequate financial resources to close hazardous waste facilities, conduct post-closure monitoring, and clean up contaminated properties. Federal and state agencies have also commonly included financial responsibility requirements in CERCLA orders. Historically, these obligations generally have been satisfied through flexible financial instruments, including insurance, self-insurance and parent company guarantees, bonding, and letters of credit, among others. However, recent litigation along with perceived gaps in existing financial responsibility requirements have prompted agencies to consider whether they should increase the use of financial assurance and apply more stringent requirements. As proof of financial assurance to meet environmental obligations is sought more expansively, the costs of demonstrating financial responsibility could materially increase, and may impose financial hardships on many companies with environmental responsibilities. There is also uncertainty on the interplay of these developments and accounting principles.

This program will explore the growing use of financial assurance to address environmental risks, the balance between environmental accountability and regulatory flexibility, and the financial implications to the regulated community.

### **Educational Objectives:**

- Developing regulations and policies
- Financial implications to regulated entities

### Moderator:

**Marianne Horinko**, The Horinko Group, Washington, DC

### Panelists:

**Bob Casselberry**, Environmental Attorney, U.S. Steel, Pittsburgh, PA

**Sheila Deely**, Senior Counsel-Environmental, Freeport-McMoRan Copper & Gold Inc., Phoenix, AZ

**Ray Leclerc**, Assistant Deputy Director, Brownfields and Environmental Restoration Program, California Department of Toxic Substance Controls, Sacramento, CA

### **Questions?**

Do you have a question that you would like the panel to address? Please email your question to Brent Fewell at [brent.fewell@unitedwater.com](mailto:brent.fewell@unitedwater.com) by Tuesday, January 25, 2011 at noon Eastern Time and the panel will make every effort to address your inquiry.

# **“Financial Assurance: Is the Government Asking Too Much?”**

Wednesday, January 26, 2011, 11:00 a.m. – 12:30 p.m. Eastern Time

There are two ways to participate in this program either attending a host site location (free of charge) or individual dial-in:

## **HOST SITE LOCATIONS**

*Participation at a host site location is free of charge; however, registration with the host site contact is required.*

### **Austin, TX**

Brown McCarroll, L.L.P., 111 Congress Ave., Ste. 1400

RSVP: Keith Hopson, (512) 479-9735 or [khopson@brownmccarroll.com](mailto:khopson@brownmccarroll.com)

### **Bloomfield Hills, MI**

Butzel Long, Stoneridge West  
41000 Woodward Ave

RSVP: Beth S. Gotthelf, (248) 258-1303 or [gotthelf@butzel.com](mailto:gotthelf@butzel.com)

### **Washington, DC**

The Horinko Group  
2300 N Street, NW, Ste. 2130

RSVP: Justin Oberst, (202) 955-6203 or [joberst@thehorinkogroup.org](mailto:joberst@thehorinkogroup.org)

## **CONFERTEL TELECONFERENCE (Individual dial-in)**

If you wish to participate by telephone, please register online at:

<https://secure.confertel.net/tsregister.asp?course=2065168>

Online registration is encouraged for immediate confirmation and billing receipt. You may also complete this form and fax it to (760) 931-0079. Registration cannot be confirmed until ConferTel receives check or Purchase Order. The registration fee covers the cost of the phone connection; you are encouraged to have others listen to the program with you.

*\*The Section has secured ConferTel to provide conferencing services, including registration, conferencing and payment. Please make checks payable to ConferTel. Questions regarding the teleconference can be directed to ConferTel at (866) 930-4500.*

### **Law Students:**

Complimentary registrations are available for law student groups and environmental law societies. Please contact Julie Connell at [ConnellJ@staff.abanet.org](mailto:ConnellJ@staff.abanet.org) to secure your registration.

### **Late Registration Notice:**

Please register early, we cannot guarantee late registrations (day of event).

## **CONFERTEL REGISTRATION INFORMATION:**

ABA Membership #:   /  /  /  /  /  /  /  /  /  

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Daytime Phone Number \_\_\_\_\_

### **Registration Fee:**

Registrations cannot be confirmed until ConferTel receives check or Purchase Order.

Section Members	<input type="checkbox"/> \$80
Gov't, Academic, or Public Interest	<input type="checkbox"/> \$80
Other ABA Members	<input type="checkbox"/> \$100
General Attendance	<input type="checkbox"/> \$110

### **Confirmation:**

Payment is required in order to receive confirmation. Your payment confirmation, teleconference call-in number and additional details will be sent via e-mail from ConferTel ([Webinars@confertel.net](mailto:Webinars@confertel.net)).

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