



**American Bar Association
Section of Environment, Energy, and Resources**



Environmental Transactions and Brownfields Committee

Presents a "Quick Teleconference" program

EPA's "All Appropriate Inquiries" Final Rule

Wednesday, November 16, 2005

12:00 p.m. – 1:30 p.m. Eastern Time / 11:00 a.m. – 12:30 p.m. Central Time
10:00 a.m. – 11:30 a.m. Mountain Time / 9:00 a.m. – 10:30 a.m. Pacific Time

Program Overview:

On October 21, 2005, the Environmental Protection Agency ("EPA") finalized its "All Appropriate Inquiries" Rule ("AAI Rule"). The AAI Rule was required by the Small Business Liability Relief and Brownfields Revitalization Act, 115 Stat. 2356 (the "Brownfields Amendments of 2002"). This final rule, which will change the way in which Phase I Environmental Site Assessments ("ESAs") are conducted, will need to be followed by all who wish to qualify for one of the Landowner Liability Protections ("LLPs") provided by the Brownfields Amendments of 2002. Completion of AAI is the threshold step for establishing any one of the LLPs: the Bona Fide Prospective Purchaser Defense, Contiguous Property Owner Defense, or the Innocent Landowner Defense.

This panel of professionals who have worked closely with the proposed AAI rule and the existing ASTM Phase I ESA Standard will describe the final AAI Rule, how it differs from current environmental due diligence practices and the proposed AAI rule, changes that are being made in the ASTM E 1527-00 Standard to make it consistent with the final AAI Rule, and practice tips for attorneys, consultants and their clients.

Educational Objectives:

- To provide information about these changing environmental due diligence requirements to practitioners who deal with environmental due diligence issues.
- To provide a forum for Section members to discuss how this final rule is likely to affect current environmental due diligence practices.
- To provide a forum for timely practice tips.

Faculty:

Moderator:

Amy L. Edwards, Partner and Co-Chair of the National Environmental Team, Holland & Knight LLP, Washington, DC

Panelists:

Patricia Overmeyer, Staff member, EPA Office of Brownfields Cleanup and Redevelopment, and Designated Federal Official for the AAI FACA, Washington, DC

Julie Kilgore, Principal, Wasatch Environmental, and Chair, ASTM E 1527 (Phase I ESA) Task Group, Salt Lake City, UT

Sara Beth Watson, Steptoe & Johnson, LLP, ABA SEER's Resource Representative to the AAI FACA and Chair of the ABA SEER-ETAB during the Reg-Neg, Washington DC

Questions?

Do you have a question that you would like the panel to address? Please email your question to Amy Edwards at amy.edwards@hklaw.com by November 15, 2005 at noon Eastern Time and the panel will make every effort to address your inquiry.

