

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ADMINISTRATOR

IN THE MATTER OF:

VSS International, Inc.

Respondent.

DOCKET NO. OPA 09-2018-0002

Joint Stipulation to Supplement
Respondent's Prehearing Exchange

Hearing Date: May 16, 2019

Time: 8:30 AM

Location: Courtroom 15, Phillip Burton
Federal Courthouse, San Francisco CA

Complainant, U.S. EPA Region 9, and Respondent, VSS International, Inc. ("the Parties"), having further met and conferred respecting Respondent's Motion to Supplement and Correct the Prehearing Exchange, filed on April 25, 2019 and Complainant's Response to Respondent's Motion to Supplement and Correct the Prehearing Exchange, filed on May 1, 2019, hereby agree and respectfully submit to this Tribunal for its consideration the following Joint Stipulation.

The parties hereby stipulate that the following exhibits shall be included as supplements to Respondent's Prehearing Exchange (designated by number and attached hereto as Exhibits A through D hereto and also marked by proposed exhibit number with sequential pagination):

RX 98

Curriculum vitae for Kari Casey

Curriculum vitae for Kari Casey

RX 99

Curriculum vitae for Lee Delano

RX 100

Curriculum vitae for John Kastrinos

RX 101

Curriculum vitae for Craig Fletcher

The parties further stipulate that any documents, including declarations previously prepared (signed or unsigned) that have been filed, or included in filings, in this matter by any witnesses whose testimony is offered at the hearing, may be used for impeachment, regardless of whether such documents have been previously identified or marked as an exhibit.

Based on the foregoing, Respondent would hereby withdraw its Motion to Supplement and Correct the Prehearing Exchange filed on April 25, 2019.

Dated: May 2, 2019



Richard J. McNeil
Attorney for Respondent, VSS International

Dated: May 2, 2019



J. Andrew Helmlinger
Attorney for Complainant, U.S. EPA

CERTIFICATE OF SERVICE

I, Richard J. McNeil, hereby certify that on May 2, 2019, I caused to be filed electronically the foregoing Joint Stipulation to Supplement Respondent's Prehearing Exchange with the Clerk of the Office of Administrative Law Judges using the OALJ E-Filing System, which sends a Notice of Electronic Filing to Respondent.

Additionally, I, Richard J. McNeil, hereby certify that on May 2, 2019, I served a true and correct copy of the foregoing Stipulation to Supplement Respondent's Prehearing Exchange via electronic mail upon Rebecca Sugerman, attorney for Complainant, U.S. EPA, at Sugerman.Rebecca@epa.gov.

Dated: May 2, 2019

Respectfully Submitted,



Richard J. McNeil
Attorney for Respondent, VSS International

EXHIBIT A

Kari L. Casey

karcasey@whfinc.com

(209) 872-2168

Education

M.S. Environmental Management <i>University of San Francisco</i>	May 2009 <i>San Francisco, California</i>
B.S. Environmental Science Technology <i>Humboldt State University</i>	December 2004 <i>Arcata, California</i>
General Education <i>Modesto Junior College</i>	May 2000 <i>Modesto, California</i>

Employment

General Manager <i>WHF Inc. Environmental and Engineering Group</i> Oversight of day-to-day operations and administrative duties. Project management duties include ensuring compliance with regulatory guidelines for hazardous materials, hazardous waste, SPCC Plans, storm water, and air quality. Development of site specific training programs for spill response, hazardous materials, and waste management including OSHA Hazcom standards. Project management for site investigations and remediation activities for cleanup sites. Oversight of permitting and compliance activities including audits pertaining to air quality, water quality, storm water management, hazardous materials, and hazardous waste management and preparation of Phase I and Phase II Environmental Audits.	July 2008 - Present <i>Oakdale, California</i>
Senior Environmental Specialist <i>WHF Inc. Environmental and Engineering Group</i> Project management for site investigation and remediation activities of UST and AST sites. Assists in permitting and compliance activities pertaining to air quality, water quality, storm water management, hazardous materials, and hazardous waste management.	July 2006 – July 2008 <i>Oakdale, California</i>
Associate Environmental Specialist <i>WHF Inc. Environmental and Engineering Group</i> Assist in field work activities and report preparation for underground storage tank (UST), and Aboveground Storage Tank (AST) investigations. Assists in permitting and compliance activities pertaining to air quality, water quality, storm water management, hazardous materials, and hazardous waste management.	July 2004 – July 2006 <i>Oakdale, California</i>

Certifications

- Hazardous Waste Operations and Emergency Response 40 Hour Training
- Certified Hazardous Materials Manager (CHMM)

Extracurricular Activities and Affiliations

- Chair, Bicycle and Pedestrian Advisory Committee, Stanislaus County
- Member, Northern California Chapter of the Alliance of Hazardous Materials Professionals

Relevant Projects

- Assistance with preparation of Hazardous Materials, Spill Response, and Contingency Plans
- Development of site specific training programs for Hazardous Materials and Hazardous waste management including storage, handling, and spill response
- Preparation of Permit by Rule Tiered permits for onsite hazardous waste treatment
- Completion of Phase I and Phase II Environmental Audits
- Permit compliance oversight for Waste Discharge Requirements (non-15 and Title 27)
- Air permitting and preparation of Toxic Emissions Inventory Reports (TEIR)

EXHIBIT B

Lee DeLano, RCE, RA&E

Principal Engineer with extensive project feasibility, design, construction and management experience in development of major projects based on original concepts and proven by mathematical models. Projects include water treatment plants, subdivisions, parcel maps, improvement plans, buildings, hydroelectric projects, gravity irrigation and drainage systems, high voltage steel transmission towers, tunnels, pumping plants and a variety of structures. California Licensed Civil and Agricultural Engineer.

WHF, Inc., Environmental & Engineering Group, Oakdale 1993-Present

Vice-President/Principal Engineer

Responsible for all civil engineering activities of the corporation. Project engineering includes the design and installation of water treatment facilities and structural engineering designs, such as the 100' tall ConAgra processing tower. Prepare subdivision plans and survey record maps for a variety of land developments. Installation of 150 GPM industrial water recycle treatment system for Colorado Sweet Gold. Preparation of feasibility studies, site plans, grading and drainage plans, improvement plans, and complex proposals.

Diablo Engineering 2004-2010

Vice-President/Principal Engineer

Provide clients with structural calculations through complex spreadsheet programs. These calculations include the vertical and lateral loadings required by the Uniform Building Code. Structures designed include greenhouses, residences, apartments, steel buildings, churches, and pole barns. Prepare land surveys including parcel maps and subdivision maps with the associated improvement plans.

UMA Engineering, Inc., Waterford & El Centro 1990-1992

Manager, California Water Resources

Responsible for the establishment of an office in the Central Valley and management of 15 individuals in El Centro. Provided civil engineering support for El Centro office and Project Manager for IID's Water Control Center, \$1.6MM, dedicated in 1994. Facilities included solar powered gates, weirs, reservoirs, and pumps. Represented South San Joaquin and Oakdale ID in the Bay/Delta Hearings.

Dry Creek Engineering, Waterford 1989-2004

Owner/Engineer

Provide clients with structural calculations through complex spreadsheet programs. These calculations include the vertical and lateral loadings required by the Uniform Building Code. Structures designed include greenhouses, residences, apartments, steel buildings, churches, and pole barns. Prepare land surveys including parcel maps and subdivision maps with the associated improvement plans. Designed water treatment plant for Country Western Mobile Home Park.

Modesto Irrigation District, Modesto 1972-1989

Chief Water Operations Division 1985-1989

Directed and managed a staff of 70 along with the preparation and administration of a \$4.7MM budget for the operation, maintenance, repair, and security of the transmission and storage of waters to 3,500 customers. Project Manager for major water projects.

* Conceived idea of building tunnel to replace two miles of surface canals which represented potential liability to the District. Validated conclusions with feasibility study and recommended to Board. Project Manager for \$13.8MM tunnel.

* District's representative in the Bay/Delta Hearings. Testified at the SWRCB hearings on the drought. Wrote the Water Management Plan presented to ACWA.

- * Conducted initial detailed water rights and feasibility studies for the proposed 30/60 MGD treatment plant to deliver surface water to the City of Modesto. Prepared environmental site study and initiated pilot studies of treatment trains for the proposed \$130MM project.

Power Resources Dept., Senior Civil Engineer 1981-1985

Responsible for conducting feasibility studies for the development and operation of power projects. Researched water rights and maintained existing permits for the storage and diversion of District's water. Validated study findings, made recommendations to the Board, and supervised construction of new projects. Negotiated contracts with other governmental entities and prepared construction contract documents for general contractors.

- * Project engineer and manager for Stone Drop Ultra Low Head Hydro Project.
- * Verified profitability assumptions for New Hogan Hydroelectric Project. Project manager for the design and construction.
- * Lead staff engineer verifying extensive feasibility work of the Clavey-Wards Ferry Project (400MW).

Irrigation Division, Civil Engineer 1972-1981

Performed variety of assignments associated with the District operations including irrigation and power projects. Provided detailed design calculations and drawings for a variety of irrigation and electrical facilities. Performed land surveys and directed civil work for electrical substations, such as the McClure Gas Turbine, according to UBC and GO 95 requirements. Provided design review and right of way survey for 230KV transmission line.

Caltrans, Bridge Department, Sacramento 1970-1972

Junior Civil Engineer

Construction inspection for 4-level freeway interchange which included all major bridge types. Rotated into the design and geology sections for six months each.

Civic/Professional Affiliations

Member of SolarEverywhere non-profit group for public education, 2012
 Former Committee member of the Yosemite College Bond E Building Committee, 2010-2012
 Former President; currently a Board member of the Modesto Engineers Club; Project of the Year Award, 1997, ConAgra Tower
 Commissioner, Oakdale Airport, 1998-2000
 Former President; currently a Board member of the Experimental Aircraft Association, Chapter 90, Hangar Committee, 2002
 Former President-Waterford Lions Club, LaGrange Rodeo Chairman, 1997
 Former President, Board of Directors-Central Valley Credit Union, CVCU/MID merger
 Former President-MID Employees Association

Education/Licenses

Fresno State University, Fresno, CA.
 B.S. - Civil Engineering

Registered Civil Engineer: CA #22,339 (1973); Registered Agricultural Engineer: CA #489 (1991)

Private Pilot, #1877606; builder/maintenance repairman of N701LD

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Vice-President/Principal Engineer

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 Commissioner, Oakdale Airport, 1998-2000
 Former President; currently a Board member of the Experimental Aircraft Association, Chapter 90, Hangar Committee, 2002
 Former President-Waterford Lions Club, LaGrange Rodeo Chairman, 1997
 Former President, Board of Directors-Central Valley Credit Union, CVCU/MID merger
 Former President-MHD Employees Association

Education/Licenses

Fresno State University, Fresno, CA.
 B.S. - Civil Engineering

Registered Civil Engineer: CA #22,339 (1973); Registered Agricultural Engineer: CA #489 (1991)

Private Pilot, #1877606; builder/maintenance repairman of N701LD

EXHIBIT C

HALEY ALDRICH



JOHN R. KASTRINOS, P.G., L.S.P. Lead Hydrogeologist

EDUCATION

M.S., Environmental Pollution Control, Pennsylvania State University, 1985
B.S., Geology, Dickinson College, 1983

PROFESSIONAL REGISTRATIONS

1996/ MA: Licensed Site Professional (Reg. No. 9623)
1996/ Professional Hydrogeologist, American Institute of Hydrology (Reg. No. 96-HG-1145)
1995/ PA: Professional Geologist (Reg. No. 001872G)

PROFESSIONAL SOCIETIES

American Institute of Hydrology
National Ground Water Association

AWARDS

Staff Manager Excellence Award, 2002
Harf Aldrich Excellence Award, 1993

In his 32 years of experience with Haley & Aldrich, Mr. Kastrinos has been involved in a broad range of hydrogeologic projects applied to contaminant fate and transport and underground construction. Much of his experience has applied well hydraulics, quantitative seepage analysis, and groundwater modeling, to predict remediation time-frames for pump-and-treat hydraulic-containment systems and monitored natural attenuation (MNA) projects.

Mr. Kastrinos prides himself on interpreting and presenting complex subsurface problems through simple clear conceptual models that are easily understood by the layperson. He has made many presentations to peer groups, clients, regulators, and the public as well, on issues including construction dewatering, the impacts of declining water levels on wood piles, watershed hydrology, and well hydraulics applied to remediation and ground-source heat pump systems. In numerous projects he has interacted with federal, state, and local regulatory agencies to discuss compliance goals and strategy with multiple stakeholders and to obtain permits and approvals for water-resources projects, wastewater disposal system, and waste-site cleanup and closure.

Mr. Kastrinos is an AIH-certified hydrogeologist and a registered Professional Geologist (State of Pennsylvania). He is also a Massachusetts Licensed Site Professional (LSP) who has worked in investigation and remediation of numerous oil-and-hazardous material sites, including federal CERCLA Superfund Sites in Massachusetts, Arizona, and California.

RELEVANT PROJECT EXPERIENCE

Litigation Support, Confidential Client, California Retained as expert tasked with technical review of plaintiff's expert report, which is focused on numerical modeling of Methyl-tert Butyl Ether (MTBE) fate and transport from LUST releases in a municipal water-supply aquifer.

Litigation Support, Harvard University Prepared expert report documenting fate-and-transport modeling that proved the likely migration period for chlorinated solvents from a former dry-cleaners facility. Case settled out of court.

Litigation Support, T. F. Green Airport, Rhode Island. Prepared an expert report documenting likely causes of failure of a construction-dewatering system installed in connection with support-of-excavation on a runway expansion project. Case settled out of court.

Litigation Support, Confidential Client, New Hampshire Consultant tasked with technical review of plaintiff's expert reports that were focused on the extent of site characterization, need for additional work, and associated costs, on sites with petroleum-contamination, including MTBE, in the State of New Hampshire.

JOHN R. KASTRINOS, P.G., L.S.P.
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Litigation Support and Expert Witness Testimony, Town of Wolfeboro, New Hampshire. Prepared an expert report and provided expert witness testimony for a case involving groundwater seepage and slope stability at the Town's wastewater treatment plant rapid infiltration basins (RIBs). The case centered on whether the project civil engineer met the standard of care in assessing the site hydrogeology and soil conditions for wastewater disposal. The assignment included preparing expert reports, attending depositions, assisting the legal team in deposing opposing witnesses, and providing testimony at a jury trial in New Hampshire.

Litigation Support and Expert Witness Testimony, Emhart Stanley Black & Decker. Expert Witness for Superfund Site in Rhode Island, where testimony was provided on sources, fate, and transport of dioxins, polychlorinated biphenyls (PCBs) and other contaminants that have affected an extensive area of river sediments. The assignment has included preparing multiple expert reports, at least six depositions, assisting the legal team in deposing opposing witnesses, and providing testimony at a jury trial at the Rhode Island Federal Courthouse.

Litigation Support, Pheasant Lane Mall, Nashua, New Hampshire. Project hydrogeologist for litigation support involving review of a groundwater remediation system design and associated costs with implementing and operating the system. The remediation system was installed to address a release of gasoline from USTs at an upgradient service station.

Litigation Support and Expert Witness Testimony, Town of Wenham, MA. Provided testimony pertaining to hydrogeology and induced infiltration, to challenge the Massachusetts Department of Environmental Protection's (DEP) proposed changes to the Water Management Act Permit. DEP attempted to impose streamflow-based restrictions on groundwater withdrawals that the Town believed were untenable. Mr. Kastrinos testified that the proposed restrictions would not achieve the desired effect (restoration or maintenance of streamflow in the Ipswich River under summer low-flow conditions) due to hydraulic "lag time" driven by the site geology and the distance between the wellfield and the River. Testimony was provided at an adjudicatory hearing in which Mr. Kastrinos was cross-examined by lawyers representing the DEP and the Ipswich River Watershed Association.

Litigation Support, Water Management Act Permits, Massachusetts. Supported three watershed associations in challenging MassDEP's failure to consider basin "safe yield" in granting permits to three users with water demands exceeding 100,000 gpd.

PUBLICATIONS AND PRESENTATIONS

"Attenuation of a Chlorinated Solvent Plume Expedited by Construction," with O. Miles and J. Chu, poster presentation at the 2018 Battelle International Conference on Remediation of Chlorinated and Recalcitrant Compounds, Palm Springs, CA.

"Stressed Watersheds in a Rainfall-Rich Region," with O. Miles and N. Pickering, Ph.D., poster presentation at the American Geophysical Union Fall 2016 Conference, San Francisco, CA.

"Customized Vapor-Intrusion Mitigation Strategies in a Complex Urban Setting," with M. Cronan, D. Larson, T. Creamer, and K. McQueeney. Presented at the 2014 Battelle Ninth International Conference on Remediation of Chlorinated and Recalcitrant Compounds, Monterey, CA.

"Innovative Design and Construction of Zero-Valent Iron (ZVI) Permeable Reactive Conduit and Injection Points to Reduce PCE Concentrations in Groundwater," with Mark D. Kelley, P.E. 8th International Conference on Remediation of Chlorinated and Recalcitrant Compounds, International Battelle Conference, 2/1-2/4 2012, Monterey, CA.

haleyaldrich.com

JOHN R. KASTRINOS, P.G., L.S.P.
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"Restoration of Leachate-Impacted Wetlands and Associated Mitigation at the University of Connecticut Landfill," with Richard P. Standish, Christopher O. Mason, Stephanie Marks, and James M. Pletrzak, P.E. 6th International Battelle Conference on Remediation of Contaminated Sediments, 7 through 10 February 2011, New Orleans, LA.

haleydrich.com

EXHIBIT D

The California Petroleum Storage Act (CPSA) is the largest



Start off with \$50 in free ad credits

Request \$50 credit

Craig Fletcher · 3rd

Principal, Fletcher Consultants, Inc. CA Professional Geologist, Certified Hydrogeologist, STI Certified Tank Inspector San Francisco Bay Area

Connect ***

Fletcher Consultants, Inc.

University of California, Davis Graduate School of Management

See contact info

99 connections

24 years environmental services background

Regulatory Compliance & Permitting

Site Investigation/Assessments

Soil and Groundwater Remediation

SPCC Plan Preparation

Steel Tank Certification

Tank Inspections

Geologist/Hydrogeologist

Visit FCI at www.fletcherconsultantsinc.com for additional details regarding our capabilities

Specialties:

RCRA Compliance, Permitting, Closure

California Environmental Compliance

Regulatory Agency Negotiations

Power Generation Environmental Services

SPCC Plan Preparation

APSA Technical Support and Guidance

STI Certified Tank Inspections/CA Hazardous Waste Tank Integrity Assessments

Committee Member, California Aboveground Petroleum Storage Act Advisory Committee

Show less

Experience



Principal/CEO Fletcher Consultants, Inc. Jun 2002 - Present · 16 yrs 1 mo

Provide expert level technical environmental consulting services to industrial and commercial clients, specializing in environmental compliance, site characterization and remediation, and environmental mitigation services. Successfully manage concurrent complex projects, and ensure complete client satisfaction with services. Responsible for business development and company profitability. Provide mentoring and guidance to company staff.

Visit our Website at www.fletcherconsultantsinc.com for details regarding our capabilities, experience, clients, and project descriptions.

People Also Viewed

Lynn (Bowe... Retired at NVA - Retired

Lynn Bowers Retired at NuVision Federal Credit Union

Do...

Kenneth Robertson Product support at Schneider Elec



Dal Carey · 2nd Measurement Specialist at Par Ha Refining LLC

brla...

Donna Donna Ventura · 2nd IT Administrative Assistant at Alor Petroleum

Robert Buckley Environmental Services Professor

Shelli Wahlers · 2nd Site Safety at TANCO Engineering

Manny Tijamo Recreation Director at City and Co of Honolulu

Learn the skills Craig has

Leading Effectively Viewers: 3,986

Taking Charge of Technology for Maxim Productivity Viewers: 1,808

Tony Schwartz on Managing Your Energy Sustainable High Performance

Utility Environmental Program Manager
Pacific Gas & Electric
2001 - 2002 • 1 yr

Views: 8236

See more

Responsible for the Utility wide environmental program, serving as the single point program contact and providing overall leadership. Developed and presented environmental program to the Utility Chief Financial Officer (CFO) and other Company Officers. Monitored financial results, tracked spending, and forecasted future needs. Developed and tracked appropriate benchmarks, metrics, initiatives, best management practices, and provided key strategic direction to Utility lines of business.

Principal Program Manager Power Generation
Pacific Gas & Electric
2000 - 2001 • 1 yr

Provided program management of over \$140 million in environmental liabilities for Power Generation Business Unit. Served as primary liaison with Auv generators/developers, California Energy Commission, and regulatory agencies for redevelopment related remedial issues. Directed and monitored project managers for former PG&E Power Generation sites. Provide technical environmental services to PG&E Power Generation Business Unit for corrective action and regulatory compliance.

Senior Environmental Engineer
Pacific Gas and Electric Company
1996 - 2001 • 5 yrs

Provided environmental compliance and regulatory support to fossil, geothermal, and hydro generation power plants. Provided technical support and review for preparation of over seventy five Phase I and II environmental assessments and due diligence reports for generation facilities. Obtained air, waste, water quality and resource permits for industrial facilities. Negotiated cleanup levels, obtained appropriate discharge permits, and provide testimony and support of legal settlements for cost recovery. Reviewed, interpreted, and advised management on impacts of pending and proposed and Federal and State regulations.

Environmental Coordinator
Pacific Gas & Electric
1992 - 1996 • 4 yrs

Managed RCRA Part B TSD Hazardous Waste Facility Permit. Managed NPDES Waste Discharge Requirements for large dischargers. Successfully negotiated favorable conditions for remedialization of RCRA Permit. Responded in media inquiries regarding environmental issues at facility. Coordinated agency inspections and responded to agency notices. Negotiated cleanup levels and closure plans for RCRA Corrective Action Sites. Conducted environmental training for facility personnel.

Show more

Education

University of California, Davis - Graduate School of Management
Masters of Business Administration, Natural Resources and Environmental Management
1987 - 1989

University of Illinois at Urbana-Champaign
Bachelor of Science, Geology
1978 - 1982

Skills & Endorsements

Environmental Compliance • 12

Endorsed by Ralph McCullers, MPA, who is highly skilled at this

Endorsed by 3 of Craig's colleagues at Pacific Gas and Electric Company

Messaging

6/21

12
Endorsed by Ralph McCullers, MPA and 1 other
who is highly skilled at this

Endorsed by 5 of Craig's colleagues at Pacific Gas
and Electric Company

Environmental Consulting · 13

Endorsed by 4 of Craig's colleagues at Pacific Gas and Electric Company

Show more ~



Messaging



<https://www.linkedin.com/in/craigfletcher/>

6/21/2018