

ENVIRONMENTAL & ENERGY LAW SECTION

2019 Annual Oil Spill Symposium

Wednesday, May 8, 2019 | Great Hall, State Bar Center, Albany

Live Only | 3.5 MCLE Credit is available for this program.

12:00 – 12:20 p.m.

Registration and Lunch

12:20 – 12:30 p.m.

Welcome and Introduction

Gary S. Bowitch, Esq. | Bowitch & Coffey, LLP | Albany, NY | Co-Chair, Petroleum Spills Committee

12:30 – 1:10 p.m.

Oil Spill Update

(0.5 Credit in Areas of Professional Practice)

- Current status of the Oil Spill Fund, along with any State policy updates.
- Recent case law developments pertaining to New York's Oil Spill Act, including unreported cases.

Patrick J. Holloway, Esq. | Office of State Comptroller | Albany, NY

Alan J. Knauf, Esq. | Knauf Shaw LLP | Rochester, NY

Bonnie J. Riggi, Esq. | Assistant Attorney General | NYS Office of the Attorney General | Albany, NY

1:10 – 2:00 p.m.

Gas Station Development, Redevelopment, and Due Diligence

(1.0 Credit in Areas of Professional Practice)

Seth D. Friedland, Esq. | Friedland Law, LLC | New York, NY

Richard Levato | Advanced Site Restoration, LLC | New York, NY

- Unique legal issues, due diligence requirements, and potential obstacles that may be encountered in the redevelopment of current and former gas station sites for other uses, as well as site development of "new to industry" gas stations.
- Fundamental overview of the due diligence process covering an overview and analysis of common environmental issues (including Phase I and Phase II ESAs, corrective action, regulatory issues), title, zoning and land use issues, PMPA, ROFR's, oil company restrictions, covenants and access agreements of record, and environmental indemnities.

2:00 – 2:15 p.m.

Break

2:15 – 3:05 p.m.

Individual Liability & the Responsible Corporate Officer Doctrine

(1.0 Credit in Areas of Professional Practice)

- Individual liability and the Corporate Officer Doctrine
- Liability under New York's Oil Spill Act as compared to other environmental statutes
- Best practices to avoid liability

Jeffrey C. Stravino, Esq. | Hodgson Russ LLP | Buffalo, NY

Douglas H. Zamelis, Esq. | Law Office of Douglas H. Zamelis, Cooperstown, NY | Co-Chair, Petroleum Spills Committee

3:05 – 3:55 p.m.

Petroleum Spill Case Study

(1.0 Credit in Areas of Professional Practice)

A case study highlighting the nuances of the Oil Spill Act, focusing on liability, spill reporting and investigation/remediation issues.

Melissa M. Valle, Esq. | Knauf Shaw LLP | Rochester, NY | Co-Chair, Petroleum Spills Committee

Gary S. Bowitch, Esq. | Bowitch & Coffey, LLP | Albany, NY | Co-Chair, Petroleum Spills Committee

3:55 – 4:00 p.m.

Closing Remarks

Douglas H. Zamelis, Esq. | Law Office of Douglas H. Zamelis | Cooperstown, NY | Co-Chair, Petroleum Spills Committee

4:00 - 5:00 p.m.

Cocktail Reception

Register online:

www.nysba.org/ENVOSSMay2019

CLE INFORMATION

Under New York's MCLE rule, this program has been approved for a total of 3.5 MCLE credits in Areas of Professional Practice for both experienced and newly-admitted attorneys.

Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Lisa Bataille at lbataille@nysba.org

Accommodations for Persons with Disabilities

NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Lisa Bataille at 518-487-5680 or lbataille@nysba.org.