



**EBC Water Resources Webinar**  
**Getting the Lead Out: Preparing for EPA's new Lead and Copper Rule**

Friday, January 15, 2021

**Program Co-Chairs**

Peter Durning, Managing Shareholder, Mackie Shea Durning, PC  
Blake Martin, Vice President, Water Resources, Weston & Sampson  
Eric L. Klein, Principal, Beveridge & Diamond, PC

**AGENDA**

- 9:00 a.m.    **Welcome and Program Introduction – what you will learn**
- Peter Durning, Program Co-Chair and Moderator  
Chair, EBC Water Resources Committee  
Managing Shareholder, Mackie Shea Durning, PC
- 9:20 a.m.    **State Regulatory Perspective on LCR**
- Damon Guterman, Drinking Water Program Senior Analyst  
Massachusetts Department of Environmental Protection
- 9:45 a.m.    **A Utility Perspective on the Lead and Copper Rule**
- Stephen Estes-Smargiassi, Director of Planning and Sustainability  
Massachusetts Water Resources Authority (MWRA)
- 10:20 a.m.    **Networking Opportunity**
- 10:35 a.m.    **Break**
- 10:45 a.m.    **Lead Litigation – An Overview of Legal Liability for Lead in Drinking Water**
- Eric L. Klein, Program Co-Chair  
Principal, Beveridge & Diamond, PC
- 11:30 a.m.    **Moderated Discussion**
- Moderator:** Blake Martin, Program Co-Chair  
Vice President, Water Resources, Weston & Sampson
- 12:00 p.m.    **Adjourn**

## PROGRAM CO-CHAIRS

**Peter F. Durning**, Managing Shareholder  
Mackie Shea Durning, PC  
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Peter Durning is the Managing Shareholder at Mackie Shea Durning, P.C., an environmental and land use law boutique. Peter focuses his practice in the areas of environmental litigation, enforcement defense, land use and permitting, with a specific focus in the areas of hazardous materials, solid waste, water and wetlands. His experience includes adjudicatory hearings before the MassDEP, zoning disputes, judicial review of administrative proceedings, and appellate work. Peter represents clients in environmental remediation cost recovery actions under M.G.L. c. 21E, as well as business and transactional consulting related to contaminated property. Mr. Durning earned his J.D. from Boston College Law School and holds a B.A. in History from the University of Notre Dame.

**Eric L. Klein**, Principal  
Beveridge & Diamond, PC  
155 Federal Street, Suite 1600, Boston, MA 02110  
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Eric is an environmental litigator in the Boston office of Beveridge & Diamond, with a national practice representing major companies and municipalities in a wide variety of matters including environmental and mass torts, class actions, and federal citizen suits under environmental statutes including the Clean Water Act, the Safe Drinking Water Act, and the Clean Air Act. His litigation practice encompasses a broad range of environmental matters, including the prosecution and defense of groundwater and site contamination cases, the defense of odor nuisance litigation class actions, PCB cost allocations, environmental white-collar defense and internal investigations, and data compensation under FIFRA, the federal pesticide statute. In particular, Eric has defended some of the most significant environmental citizen suits filed in recent times, including the largest Clean Water Act citizen suit in U.S. history, filed in Seattle against a major U.S. transportation company, and the landmark Safe Drinking Water Act litigation filed over lead in drinking water in Newark, New Jersey.

**Blake Martin**, Vice President, Water Resources  
Weston & Sampson  
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Blake is a Water Resources practice leader at Weston and Sampson, specializing in water resource studies. His background as a hydrogeologist includes contaminant transport studies, ground water supply development and remediation investigations for organic contaminants. He is a former chair of the EBC Water Resources committee and the New England Water Works Sustainability committee focusing on municipal infrastructure and source protection issues.

## SPEAKERS

**Damon Guterman**, Drinking Water Program Senior Analyst  
Massachusetts Department of Environmental Protection  
One Winter Street, Boston, MA 02108  
617-574-6811 | M 617-447-1337 | damon.guterman@mass.gov

Damon is in his 26<sup>th</sup> year working at MassDEP's Boston Headquarters where he currently supervises the Safe Drinking Water Act section responsible for oversight of the water quality, treatment and right-to-know rules in the Massachusetts Drinking Water Regulations. Over the course of his time with MassDEP he has participated in the introduction of the Stage 1/Stage 2 Disinfectants/Disinfection Byproducts Rule, the Interim/Long Term 1/Long Term 2 Enhanced Surface Water Treatment Rules, the Filter Backwash Recycling Rule, the Groundwater Rule, the Radionuclides Rule, the Public Notice Rule, the Consumer Confidence Rule, the Arsenic Rule, the Minor Revisions/Short Term Revisions/Revised (coming soon) Lead and Copper Rule, the Revised Total Coliform Rule and four cycles of the Unregulated Contaminant Monitoring Rule in addition to Massachusetts-specific regulations to address Perchlorate and PFAS and the development of guidelines for numerous unregulated contaminants. He received his bachelor's degree in chemistry from Bowdoin College and his master's degree in organic chemistry from Harvard University.

**Stephen Estes-Smargiassi**, Director of Planning and Sustainability  
Massachusetts Water Resources Authority  
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Stephen Estes-Smargiassi is a planner and an engineer. He has a Bachelors of Civil Engineering from Massachusetts Institute of Technology and a Masters in City and Regional Planning from Harvard University. Steve has been with Massachusetts Water Resources Authority for over 30 years and is currently the Director of Planning and Sustainability. Steve has been involved with MWRA drinking water quality initiatives, including treatment decisions for corrosion, microbial and disinfection byproducts control, and has overseen MWRA's collaborative efforts to understand and communicate the risks of lead in drinking water since 1993. He has also been active in regional and national efforts to review and revise the Lead and Copper Rule, including twice serving on EPA's National Drinking Water Advisory Council's Working Groups on the LCR.

## UPCOMING EBC PROGRAMS

### JANUARY 2021

January 20: Leadership Webinar – Massachusetts Environmental and Energy Agenda for 2021  
January 21: Ascending Professionals Webinar – Conflict Resolution  
January 22: Rhode Island Webinar – Stormwater Management Updates – RIDEM, RIDOT, NBC  
January 25: Climate Change and Air Committee Virtual Program Planning Meeting  
January 25: Site Remediation and Redevelopment Committee Virtual Program Planning Meeting  
January 26: Emerging Contaminants Webinar – 1,4-dioxane update  
January 26: Ascending Professionals Committee Virtual Program Planning Meeting  
January 27: Ocean and Coastal Resources Webinar – Protecting Coastal Structures, Part One  
January 28: TSCA Webinar – PCB Remediation Case Studies and Innovative Approaches  
January 29: 15<sup>th</sup> Annual Construction and Demolition Materials Management Regional Summit

### FEBRUARY 2021

February 2: Connecticut Resiliency Webinar – Future of Climate Mitigation and Adaptation  
February 4: Water Resources Webinar – Culvert Design  
February 9: 2<sup>nd</sup> Annual PFAS – The Forever Chemical – Seminar – Two Sessions

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