

James Charles, P.E., C.P.G

Senior Consultant

Summary

As a Senior Consultant with EHS Management Strategies, LLC, Mr. Charles specializes in complex environmental due diligence, site remediation, and industrial EHS compliance programs. His experience includes the following areas:

- Part 201 and 213 Site Remediation
- EHS Compliance Auditing
- Due Diligence (Phase I/II, BEA, Due Care)
- ISO 14001 and OHSAS 18001 training and consulting
- EHS training (DOT, RCRA, HazCom, SPCC)
- Environmental Liability Assessments
- SPCC Plans and Certification
- Waste Management Planning
- Construction Oversight
- RI/FS – Field Investigation/ Data Reporting
- RCRA Corrective Action and Permitting

Mr. Charles is experienced in developing site-wide remediation and EHS compliance strategies that address the technical, regulatory, and business needs of the client. He has lead and participated in negotiations with state and federal agencies, and third-party legal matters. Mr. Charles manages project teams on multidisciplinary projects for clients and is experienced in the execution and management of engineering and environmental projects throughout the U.S. He has managed corrective action and permitting projects at numerous RCRA and CERCLA facilities conducted pursuant to either state or federal consent orders. He has managed RCRA corrective action projects including RCRA facility investigation, stabilization and interim corrective measure systems, and corrective measure studies. His permitting and compliance reporting experience include preparation of NPDES permits, RCRA Part B permits, air permits, toxic release inventories, and SARA reporting. He has participated in developing environmental assessment strategies and evaluation of environmental liability for multi-facility acquisition and divestitures. He has extensive experience in developing and implementing EHS training and compliance programs that include DOT, RCRA, Right-to-Know, ISO 14001, and OHSAS 18001. His experience as a corporate environmental manager included review of environmental liability issues, establishing compliance strategies, budget development, and contract management.

Highlights

- Manage complex permitting, design and construction projects.
- Presentations at public meetings and hearings
- Regulatory and third party negotiations
- Multi-site due diligence projects and liability assessments
- Registered Professional Engineer –Michigan #40948
- Certified Professional Geologist – AIPG #9566
- Senior ISO 14001 Implementation and Training Consultant

Education

B.S. Geological Engineering
Michigan Technological
University, 1986

Experience

Remediation/Risk Management Projects

UST Remediation and Risk Management – MI, MN, WI

Mr. Charles was UST Remediation manager for a Fortune 500 petroleum company. He was responsible for all activities associated with the removal and replacement of over 300 USTs. This included construction oversight, project management, budget development, regulatory compliance, and managing outside consulting firms. Responsibilities included third party legal claims, MDEQ/EPA negotiations, and liability assessments.

Refinery Closure – Kansas.

Project Manager for closure and remediation at a 56,000 bpd refinery site. Developed liability analysis used to support financial decision to close the refinery and write down of assets. Project included development and implementation of the overall site closure strategy including managing stakeholder issues, regulatory negotiations, design and construction. Managed closure budget of \$5 MM and annual remediation costs of \$2.5 MM. Technical aspects included site RCRA corrective action, pond and LTU closure, seepage abatement, permit modifications, operation and maintenance of groundwater system (500 gpm), and emergency response planning.

Liability Analysis – Multiple

Petroleum Sites. Remediation manager for a Fortune 500 Petroleum company responsible for the evaluation of environmental liability at four active refineries, five closed refineries, multiple bulk storage terminal and retail sites, and superfund liability. The evaluations were conducted following the

generally accepted accounting principles (GAAP) and were utilized to establish environmental reserves and for SEC reporting. He was responsible for establishing and managing an environmental reserve of \$26 million.

Refinery Corrective Action – Michigan. Project Manager for site-wide corrective action for a closed refinery in Mt. Pleasant, Michigan. The activities included a remedial investigation, free product recovery, abatement of river seepage, and removal of 8,000 yards of sludge materials. Lead the negotiation of a consent order with MDEQ and settlement of enforcement actions with the Surface Water Division.

Groundwater Evaluation – Colorado. Performed a detailed evaluation of BTEX and MTBE concentrations across two refineries to identify source of MTBE plume. Evaluation was used in regulatory negotiations with EPA Region 7.

Superfund Negotiations – Michigan. Project Manager representing a major PRP at a Landfill Superfund site in Michigan. Responsibilities included coordinating both technical and legal resources, representing the company at PRP meetings, developing settlement strategies, and lead negotiator for final settlement negotiations.

MGP Remediation – Michigan. Project Manager for remediation of a MGP site. This included completion of a remedial investigation, interim remedial response actions, and regulatory negotiations. During the IRAP activities the client negotiated an agreement with the current landowner to rebuild a parking lot in

exchange for site access. The scope of work was modified to include the design, permitting, and construction of a new parking area.

MGP Remediation – Michigan.

Project Manager for developing a remedial work plan at a former MGP Site in Ludington, Michigan. Mr. Charles worked with the client to develop a remedial strategy pursuant to Part 201 regulations and directed the preparation of a remedial investigation work plan. The work plan included a conceptual site model that identified complete and incomplete exposure pathways. This helped focus the investigation on completed pathways and reduce investigation costs.

MGP Remediation – Michigan.

Worked with the client to develop a comprehensive remediation strategy at this former MGP site located along a major river. Then directed the preparation of a remedial work plan designed to collect all the data needed for preparation of a Part 201 RAP and evaluate potential impact to the river without sediment sampling.

RCRA Lagoon Closure – Michigan.

Project Manager for the closure of seven wastewater ponds at a closed refinery. Characterized the sediment/sludge in seven wastewater ponds and developed a RCRA closure plan pursuant to a consent order. A treatability study was performed to evaluate various stabilizing agents. The closure plan included dewatering the ponds, stabilization of sludge, and construction of two on-site containment cells. Developed detailed design drawings and bid specifications, solicited bids, provided construction oversight and closure certification.

Due Diligence Projects

Multi-Site Acquisition.

Lead auditor for a multi-site due diligence and compliance auditing project at 4 locations in Michigan and Ohio. He lead audit teams at these locations to identify both environmental liabilities and compliance with major EHS programs. Site information was reported to the client electronically using client specific software. A total of 50 sites were evaluated within 60 days for this project.

Multi-Site Acquisition. Mr. Charles was the Project Manager responsible for the Phase II investigation at 28 retail service stations. He developed the scope of work for the investigations, selected a consultant, and reviewed all phase II reports. He evaluated the remediation and third party liabilities and estimated associated costs. These were presented to senior management and used to support an environmental escrow account for cleanup.

Multi-Site Divestiture. Mr. Charles was the Project Manager responsible for completion of Phase II activities at 17 sites prior to sale. He developed the scope of work for the investigations, selected a consultant, and reviewed all phase II reports. He evaluated the remediation and third party liabilities and estimated associated costs. These were presented to the perspective buyer and used to establish an environmental reserve.

Phase I ESA, Multiple Sites. Mr. Charles has managed and performed Phase I environmental site assessments at over 50 commercial and industrial sites. These have included ESA consistent with ASTM 1578.

Regulatory Compliance/ISO 14001 Consulting

Compliance Analysis Procedure – Delphi, Troy, Michigan. Project Manager for the preparation of a Supplemental Environmental Procedure (SEP) to evaluate the due care requirements (Part 201) at eight Tier I manufacturing facilities in Michigan. The SEP provided a detailed comprehensive summary of the regulatory requirements and a step-by-step process to prepare the compliance documentation.

RCRA Audit and Training - Delphi, Troy, Michigan. EHS specialist responsible for completion of a comprehensive hazardous waste audit for a engineering and testing facility. Each waste stream was profiled and example manifests for each waste stream were prepared. A RCRA personnel training program was developed to train personnel on the requirements of hazardous waste management.

Multimedia Audit – RCI, Saginaw, Michigan. Performed a comprehensive multi-media review for a tier 1 automotive supplier in Saginaw, Michigan. Review compliance with RCRA, CWA, SARA, and CAA. Project also included modification of the existing air permit for a new coating line. Prepared a compliance audit report with recommendations for improving the EHS systems.

BIF RCRA Closure – Cytec, Kalamazoo, Michigan. Prepared a closure strategy and RCRA closure plan for a BIF unit. The plan required no soil sampling and allowed re-use of the product storage tank.

RCRA Audit and Training – Flint Ink, Holland, Michigan. Performed a comprehensive evaluation of the RCRA issues associated with the facility and developed a training plan for submittal to MDEQ. The plan also included a power point presentation-training program that reviewed both general and site specific RCRA requirements.

EHS Compliance Assessment, Tier I Auto Supplier, Grand Rapids, Michigan
Conducted a comprehensive environmental audit as required by their ISO14001 EMS. The assessment report included findings of compliance and best management practices.

SPCC Plan/PIPP Update and Certificate- Van Products, Gaylord, Michigan
Review the site operations and chemical storage to determine compliance with the 2002 SPCC regulations. Reviewed the existing SPCC/PIPP plans to identify deficiencies. Reviewed modified plans and provided PE certification.

SPCC Plan Update and Certification, TPI Refinery, Arkansas City, Kansas
Reviewed the existing SPCC plan and amended plan to reflect closure of the facility. Provided the PE certification and trained staff on new plan.

Waste Stream Analysis – Michigan. Completed a detailed evaluation and characterization for soils contaminated with VOCs', SVOC's, and PCB's. The characterization consisted of evaluating the source of contamination to determine whether the media was a listed waste and compliance with the PCB mega rule.

RCRA Part B Permit Application and Post Closure Permit – Kansas.

Mr. Charles was the project manager for the completion of a Part B permit application and post closure permit for a closed refinery. The application included closure of a land treatment unit, interim status lagoons, and drum storage areas. The post closure plan included development of a compliance-monitoring network along a major river. Reduced the number of wells in network from 28 to 14, and negotiated a reduced number of parameters.

ISO 14001 Training. Senior ISO 14001 responsible for preparation and presenting a two-day EMS internal auditor training program for 12 auditors at a tier I manufacturing facility. The workshop included actual hands-on auditing within their facility. Also, reviewed portions of the facility EMS documentation in anticipation of receiving ISO 14001 registration.

ISO 14001 GAP Analysis – Dana Corporation, St. Johns, Michigan.

Senior ISO 14001 responsible for conducting an in depth review of the facilities existing environmental management system (EMS) and compared it to the ISO 14001 standard. Developed an action plan that summarized the required steps to attain registration.

ISO 14001 Training – American Axle & Manufacturing, Three Rivers, Michigan. Senior ISO 14001 responsible for preparing and presenting a two-day EMS internal auditor-training program for 12 auditors and general awareness training program for 900 employee's onsite.

ISO 14001 Consulting – American Axle & Manufacturing, Ohio.

Senior consultant responsible for leading the development of an ISO 14001 environmental management system (EMS). The EMS covered operation of two separate facilities; a forging operation in Malvern and a machining operation in Minervia. The scope of work included leadership training, aspects/impacts identification, development of level 1, 2, and 3 procedures, internal auditor training, auditing, and closing out corrective action reports. Implementation of the EMS was completed in 9 months and led to certification by UL. Both plants were registered under one registration.

ISO 14001 Consulting - Daimler Chrysler, Sterling Heights, Michigan.

Senior consultant for the implementation of an ISO 14001 compliant EMS and integrating this into their quality management system at two automotive manufacturing facilities. The project included implementation planning and training, aspect/impact identification and ranking, procedures development, and internal auditing. Mr. Charles led the plant implementation and chair monthly team meetings. He also reported progress to senior management.

ISO 14001 Training and Consulting- Dana Corporation.

Senior consultant responsible for developing and presenting a ISO 14001 implementation workshop series designed for a major tier I supplier. The workshops series was attended by the environmental management system (EMS) teams from 6 plants in MI, IN, and NE. A series of 10 workshops was presented over an 11-month period and resulted in each plant developing an ISO 14001 EMS.

OHSAS1801 Implementation Training. Mr. Charles developed a one-day training program that provides an overview of the OHSAS18001 specification for health & Safety management systems and how to implement an OH&S management system. This training program has been presented to over 80 professionals.

ISO 14001 Consulting – Gill Industries, Grand Rapids, Michigan. Senior consultant responsible for leading the development of an ISO 14001 environmental management system (EMS). The scope of work included leadership training, aspects/impacts identification, development of level 1, 2, and 3 procedures, internal auditor training, auditing, and closing out corrective action reports. Implementation of the EMS was completed in 9 months and lead to certification.

SPCC/PIPP Plan Preparation, Kurdzeil Industries, Rothbury, Michigan. Senior consultant responsible for conducting an inspection of the facility operations and development of an integrated SPCC and PIPP for oil and chemical storage.

EHS Benchmarking Study, Guardian Industries R&D Center, Carlton, Michigan. Senior consultant responsible for completing a detailed assessment of the facilities EHS programs and benchmarking them against the ISO14001 and OHSAS18001 standards. Developed a phased approach to improving EHS programs.

DOT & TGD Training, Lear Corporation, Southfield, Michigan Mr. Charles developed a comprehensive DOT hazardous materials training program and integrated the Canadian TGD regulations. The program was delivered to 80 Lear employees at the Southfield Headquarters.

Geotechnical Engineering and Construction Management

Construction Management Projects. Project Manager responsible for removal and installation of UST and dispenser systems at over 30 retail services stations. Responsibilities included contractor oversight, project budget and change order approval, design modifications, and coordination with operations.

Geotechnical Engineering Projects. Project Engineer for geotechnical investigations for over 100 commercial and retail construction projects. Responsibilities included completion of soil borings, soil classification, geotechnical laboratory analysis, and foundation design. Foundations systems included shallow strip and spread footings and deep pile foundation systems.

Construction Testing and Inspection. Construction testing engineer for over 40 commercial construction projects. Responsibilities included footing inspections, proof rolling, concrete inspections and density testing.

Roadway Evaluation – Virginia. Project Engineering or major roadway expansion and embankment design. Soft marine soils required extensive consolidation and slope stability evaluations.

Landfill Expansion and Permitting – Virginia. Project Engineer for expansion of a major landfill. Work included subsurface investigation, hydrogeologic testing and analysis, geotechnical laboratory testing, and completion of permit application to the state.

Landfill Siting Evaluation – Virginia. Mr. Charles was the project engineer responsible for completion of the field investigation and report writing for this project. The field investigation included installation of 28 monitoring wells, 20 soil borings, and aquifer testing.

Health and Safety Training

40-hour Health and Safety Training, current
8-hour OSHA Refresher Course, current

Publications

“Remediation Revisited.... Or If At First You Don’t Succeed, Be Willing to Look at Alternative Methods.” K. Lund and J. Charles, IGT Biotechnology Conference, 1996.

“Keeping your EMS Alive” EHS Compliance News Letter, January 2005

Presentations

“OHSAS18001 and ISO14001 Management Systems” Michigan Chamber of Commerce Environmental Issues Forum 2006

“Strategic Environmental Management Systems and ISO14001” Michigan Chamber of Commerce Environmental Issues Forum 2005

“ISO14001 EMS Strategies” North Michigan Industrial Association 2005

“Probability Cost Modeling to Support SEC Reporting” EHS Leadership and Management Forum, January 2004

“ISO 14001 Implementation Strategies” American Society of Electroplaters, November 2003

“RCRA Environmental Indicators” Strategic Liability Workshop, August 2003

“Environmental Management Systems and ISO 14001” EMS and Pollution Prevention Workshop, January 2001

“Environmental Reserves and Liability Management” Strategic Environmental Management Workshop, July 2000

“RCRA Corrective Action Process” Remediation Strategies Workshop, June 1999