

Committee on Energy and Commerce

U.S. House of Representatives

Witness Disclosure Requirement - "Truth in Testimony"

Required by House Rule XI, Clause 2(g)(5)

1. Your Name: Marianne L. Horinko		
2. Your Title: President		
3. The Entity(ies) You are Representing: The Horinko Group		
4. Are you testifying on behalf of the Federal, or a State or local government entity?	Yes	No X
5. Please list any Federal grants or contracts, or contracts or payments originating with a foreign government, that you or the entity(ies) you represent have received on or after January 1, 2013. Only grants, contracts, or payments related to the subject matter of the hearing must be listed.		
None		
6. Please attach your curriculum vitae to your completed disclosure form.		

Signature:  **Date:** 7/11/16



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Marianne Lamont Horinko

Marianne L. Horinko is an internationally-recognized environmental risk manager with expertise in forging progress using partnerships, innovation, and flexibility. Her experience includes litigation support, regulatory advice, facilitation of watershed-based cleanups, and public speaking.

THE HORINKO GROUP (2008 – PRESENT)
PRESIDENT

Ms. Horinko currently directs a small environmental consulting firm that she founded in January 2008. During her time at The Horinko Group, Ms. Horinko has continued to work with the private and public sectors to improve our nation's environmental programs. Under her leadership, The Horinko Group has led numerous efforts including the following select examples:

- Ms. Horinko frequently serves as an expert witness in complex environmental litigation. For example, Ms. Horinko provided education in a Superfund insurance recovery action with respect to the history of contaminated sediment cleanup in the United States. She also provided expert information on the regulation and risk management strategy for certain chemicals in toxic tort litigation. She has appeared in federal bankruptcy court, tribal court, state commission proceedings, and international insurance arbitration. *Refer to Attachment I for complete list of expert witness work.*
- Ms. Horinko has worked at a number of watersheds and cleanup sites to expedite logjams with respect to selection of a cleanup remedy. Sites worked at include: Lower Fox River, Kalamazoo River, Lower Passaic River, Montrose Chemical Corp, and North Penn Area 5, among others.
- Ms. Horinko is co-founder of the RCRA Corrective Action Project, a coalition of leading thinkers in the public and private sectors focused on analyzing financial assurance, data management, liability, and institutional controls of land stewardship, as well as methods for encouraging the redevelopment of remediated properties.
- The Horinko Group has been working for several years with Freeport McMoRan to resolve a number of issues surrounding the regulatory status of certain secondary materials, as well as assist with development of language in EPA's revisions to the regulatory definition of solid waste to promote beneficial reuse and recycling of secondary materials.
- The Horinko Group assisted Energy Answers on permitting and communications issues. THG engaged in high-level EPA communications at both the Region 3 and Headquarters levels to help permit a waste-to-energy facility sited outside of Baltimore. The launch event included the Governor of Maryland, the Mayor of Baltimore, and many other federal and local dignitaries. THG also assisted Energy Answers with permitting issues at its proposed Puerto Rico facility. For this facility, THG worked closely with executive level officials at both

Region 2 and at EPA Headquarters.

- The Horinko Group assisted the law firm of K&L Gates as it corresponded with EPA Region 6 on a matter related to the beneficial reuse of antimony slag in roadbeds. THG helped to prepare briefing materials and contributed to overall message development. THG also scheduled and attended high-level meetings at the regional office in Dallas, TX and at EPA Headquarters.
- The Horinko Group has been working for several years with the National Great Rivers Research and Education Center (NGRREC), assisting NGRREC with federal government outreach to advance public-private partnering and funding opportunities. NGRREC is a partnership of the University of Illinois, Lewis and Clark Community College, and the Illinois Natural History Survey. The Center's staff conducts research and education programs to increase our understanding of big rivers, their watersheds and floodplains, and the interaction between the rivers and their human, plant, and animal communities
- The Horinko Group has worked with the U.S. Sustainable Remediation Forum (SURF) to convene an experienced group of public and private sector leaders in environmental remediation to discuss the current process for implementing Green and Sustainable Remediation (GSR) across the federal and state cleanup programs, and how to begin improving the opportunities for the advancement of GSR concepts.
- The Horinko Group has worked with the Department of Defense to hold a series of executive roundtables on sustainable chemicals and materials with stakeholders from government, private industry, academia, and other interested parties. These have focused on the current state of laws, policies, and procedures to integrate sustainable chemicals and materials into systems and products, as well as the processes to report on the chemical and material contents of goods with complex supply chains.
- The Horinko Group has worked with EPA and industry representatives to design a voluntary challenge program to promote the revitalization and return to productive reuse of corporate underutilized properties. The Horinko Group coordinated a focus group in November 2008 with corporate remediation leaders and EPA office directors to discuss the most effective incentives and rewards that this program might offer.
- The Horinko Group has worked with the Michigan Renewal Coalition, a wide-variety of Michigan stakeholders to pursue reformation of Michigan's cleanup legislation. The coalition included both private and public entities and advocated for changes to make Michigan's cleanups move more quickly, thereby improving economic conditions as well.

GLOBAL ENVIRONMENT & TECHNOLOGY FOUNDATION (2004 – 2008)
EXECUTIVE VICE PRESIDENT

Ms. Horinko led an environmental practice that pioneered the Green Highways Partnership and the use of Regional Environmental Management Systems to link environmental, economic, and social causes.

- Since its launch in 2005, the Green Highways Partnership has integrated public and private interests among federal and state regulatory agencies, contractors, materials industry, trade associations, academic institutions, and non-governmental organizations (NGOs) to advance watershed-based stormwater management, recycling and reuse projects, and ecosystem management. The Horinko Group has been instrumental in bringing together key stakeholders

to integrate projects for sustainable planning, design, construction, maintenance, and materials recycling.

- Ms. Horinko assisted Freeport McMoRan Copper & Mining Company (formerly Phelps Dodge) in working with the EPA to establish a partnership with appropriate guidelines and assurances to promote the beneficial reuse of copper slag as roadbed material in Arizona and New Mexico.

U.S ENVIRONMENTAL PROTECTION AGENCY (2001 – 2004)
ASSISTANT ADMINISTRATOR AND ACTING ADMINISTRATOR

Ms. Horinko led the federal waste recycling, conservation, management, and cleanup programs, including Superfund, the Resource Conservation and Recovery Act (RCRA), and Clean Air Act Risk Management Plan programs. She assisted in passage of the landmark Brownfields legislation in 2002, and pioneered the National Approach to Response after leading the 9/11, anthrax, and Columbia shuttle recovery emergency responses. She served as Acting Administrator in the six-month passage between Christine Todd Whitman and Michael Leavitt.

CLAY ASSOCIATES, INC. (1993 – 2001)
PRESIDENT

Ms. Horinko led a small hazardous waste regulatory consulting firm, where she provided regulatory counsel, litigation support, and facilitated problem-solving. She led the National Sediments Dialogue and the “How Clean is Clean?” Policy Committee for the National Environmental Policy Institute, and founded the RCRA Policy Forum, a multi-stakeholder group aimed at improving the nation's waste programs.

U.S. ENVIRONMENTAL PROTECTION AGENCY (1989 – 1993)
ATTORNEY-ADVISOR

Ms. Horinko served as a policy advisor to the Assistant Administrator on Superfund and RCRA issues.

MORGAN LEWIS & BOCKIUS (1986 – 1989)
ATTORNEY AT LAW

Ms. Horinko practiced law in the area of Superfund, RCRA, pesticides, Clean Water Act, toxic tort, and environmental due diligence. She helped found the Superfund Settlements Project and the RCRA Corrective Action Project, a group she now advises today.

ENVIRON CORPORATION (1983 – 1986)
STAFF SCIENTIST

Ms. Horinko worked as a research assistant and toxicologist at a startup environmental consulting firm.

EDUCATION

J.D., Georgetown University Law School
B.S. (analytical chemistry), University of Maryland College Park

Attachment I: EXPERT TESTIMONY

Ms. Horinko has provided expert testimony regarding numerous contaminated site cleanups. Her expertise includes RCRA and CERCLA compliance, jurisdiction, and regulatory development as well as EPA's authority during complex environmental cleanups. She has served as an expert in toxic tort litigation, in tribal litigation, and in Superfund insurance recovery actions. The following is a list of proceedings in which Ms. Horinko has been retained as an expert:

- United States of America and the State of Wisconsin v. NCR Corporation, et al., Civil Action No. 10-C-910 (Cravath, Swaine & Moore)
 - Provided written expert testimony, pending deposition and trial.
- United States of America ex rel. Natural Resources Defense Council, et al., v. Lockheed Martin Corporation, et al., Civil Action No. 5:9900170-M (Consolidated with No. 5:00CV-39-R) (Gibson Dunn)
 - Provided written expert testimony.
- Tennessee Valley Authority v. Zurich Insurance Company – Bermuda Branch (Crowell & Moring)
 - Provided expert testimony to an international arbitration panel.
- Shoshone-Bannock Tribes Land Use Department and Fort Hall Business Council v. FMC Corporation, Case Nos. C-06-0069 C-07-0017 C-07-0035 (Summit Law)
 - Provided written expert testimony, was deposed, and testified in tribal court.
- Northwest Natural Gas Company v. AEGIS, et al., Case No. 1012-17532 (K&L Gates)
 - Provided written expert testimony.
- Forest Oil Corp., et al. v. El Rucio Land and Cattle Company, et al. v. McAllen, Case No. 2005-23091 (Susman Godfrey)
 - Provided written expert testimony and deposition.
- Western Refining Yorktown, Inc. v. BP Corporation North America, Inc. et al. (Venable)
 - Provided written expert testimony.
- ASARCO LLC, et al, Case No. 05-21207 (Milbank Tweed)
 - Provided expert testimony in federal bankruptcy court.
- Gary A. Paulson, et. al vs. 3M Company, Civil No. C2-04-6309 (King & Spalding)
 - Provided written expert testimony.
- Solutia Inc. and Pharmacia Corp. v. McWane Inc. et al. (Phelps Dodge), Civil No. 1:03-cv-1345-PWD (Vinson & Elkins)
 - Provided written expert testimony.