

John A. Simon

PRINCIPAL
EDITOR-IN-CHIEF, REMEDIATION JOURNAL

OVERVIEW

Mr. Simon is an environmental consultant with over three decades of broad-based experience in assessing, managing, and mitigating issues associated with hazardous substances and petroleum constituents. Mr. Simon's areas of expertise include remediation, fate and transport/timing of releases, environmental insurance, due diligence, liability risk transfer, and environmental management. He also routinely provides litigation support and expert testimony.

EXPERIENCE

REMEDIATION

Mr. Simon has been an environmental consultant, specializing in remediation, since graduating from Stanford University in 1985 (M.S. in Environmental Engineering and Science). He has held a number of management positions, including serving as a vice president, executive vice president, and board member of a consulting firm with remediation expertise. He has managed approximately 500 remediation projects, including large portfolios of sites for international corporations, including Emerson Electric Co., Stanley Black & Decker, and Federal-Mogul. In this capacity, he has gained considerable expertise in the bidding, contracting, and managing various types of remediation projects. Furthermore, Mr. Simon routinely provides expert opinions on remediation implementation, technology selection, and cost.

From a technology perspective, Mr. Simon is well known in the remediation field. He has been on the Editorial Advisory Board of the Remediation Journal, a John Wiley & Sons publication, since 1991 and served as the Journal's Editor-in-Chief since 1999. In this position, he solicits and reads nearly every article published – over 600 articles in a 20-year period. Many of these articles are related to remediation technology developments, investigative techniques, and risk assessment.

Mr. Simon served as the task group leader through the development of the ASTM E2893-16 Standard Guide for Greener Cleanups. ASTM gave Mr. Simon an award for this work. In addition, Mr. Simon is President Emeritus of the Sustainable Remediation Forum and is a past (2017) Steering Committee Member for the Battelle Symposium on Bioremediation and Sustainable Environmental Technologies and current Steering Committee Member for the upcoming 2021 Battelle Symposium on Remediation of Chlorinated and Recalcitrant Compounds.

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DUE DILIGENCE

Mr. Simon routinely directs environmental due diligence programs on behalf of private equity firms, banks, and corporations. He understands the business aspects of transactions and often provides assistance in the structure of environmental aspects of acquisition agreements. These transactions have ranged from single sites to corporate transactions valued above \$1 billion. He routinely models environmental liabilities to support due diligence negotiations. For one client, he is routinely retained as an outsourced corporate environmental manager in supporting due diligence projects.

ENVIRONMENTAL MANAGEMENT

Mr. Simon routinely provides strategic advice to various corporations, including several Fortune 500 companies, related to environmental management structures. He has helped structure environmental management systems, liability reporting programs, and training. He has trained environmental managers on various aspects of regulations and best management practices. In addition, he was intimately involved in developing sophisticated liability estimating, tracking, and reporting structures for three large corporations with total liabilities as high as \$100 million.

FATE AND TRANSPORT

Mr. Simon studied the fate and transport of chemicals in soil, surface water, and groundwater systems as an undergraduate and graduate student. He has worked on many facets of the fate and transport of contaminants from both remediation strategy and litigation perspectives. In particular, Mr. Simon has provided expert opinions on the fate and transport of chlorinated solvents, metals, and petroleum constituents related to matters involving the source and timing of contamination. For one matter, Mr. Simon provided an opinion related to a multi-party Superfund allocation proceeding pertaining to a 40+ year old oil spill in which Mr. Simon determined what percentage of certain oil constituents remained in sediment relative to the primary chemicals of concern driving the cleanup efforts. Mr. Simon also has soil and groundwater modeling experience.

ENVIRONMENTAL INSURANCE

Mr. Simon has unique experience in the environmental insurance industry. He helped develop underwriting models and programs for several major

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PRINCIPAL
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insurers, directed the technical aspects of underwriting for over 1,000 insurance submissions, and provided technical advice related to more than 50 environmental insurance claims.

LITIGATION SUPPORT AND TESTIMONY

Cottman Avenue PRP Group, et al. v. Amec Foster Wheeler Environmental & Infrastructure, Inc. and Hart Crowser, U.S. District Court (Eastern District of Pennsylvania), Case No. 2:16-cv-06613-MSG. Mr. Simon was retained by legal counsel representing a PRP Group to evaluate whether the costs for a remedy performed at a Superfund site with soil, groundwater, and sediment contamination were consistent with the National Contingency Plan, reasonable, and consistent with industry standards. Mr. Simon summarized his opinions in an expert report in 2018. The matter is ongoing.

Certain Underwriters at Lloyd's, London, et al. v. National Railroad Passenger Corporation, et al., U.S. District Court (Eastern District of New York) Case No. 1:14-cv-04717-FB-RLM – Mr. Simon was retained by legal counsel for the National Railroad Passenger Corporation (a/k/a Amtrak) to provide expert opinions regarding the timing of contamination, industry standards for remedial strategy and implementation, and reasonableness of incurred remediation expenses related to a \$25+ million hazardous site cleanup. Mr. Simon prepared an expert report and rebuttal report, was deposed, and testified at a jury trial in 2017. He was qualified as an expert by the court.

Salt Lake City Corporation v. ERM-West, US District Court, Civil Action No. 2:11-CV-1174 TS - Mr. Simon was retained by legal counsel for Environmental Resources Management (ERM), a consulting firm involved in a dispute related to the effectiveness of a sediment remediation project in Salt Lake City, Utah. Mr. Simon provided expert opinions regarding the work performed by ERM relative to the company's contractual obligations and industry standards. Mr. Simon prepared an expert report and was deposed in 2015. This matter settled in 2016.

Phoenix Beverages v. ExxonMobil and Quanta Resources, US District Court, Civil Action Case No. 1:12-CV-03771 (PKC) (JO) – Mr. Simon was retained by legal counsel for Quanta Resources to provide expert opinions related to the source and timing of waste oil contamination contaminated with chlorinated solvents, PCBs, and other contaminants. In addition, Mr. Simon prepared a declaration in response to plaintiff's preliminary injunction

John A. Simon

PRINCIPAL
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related to the alleged risk posed by methane under the plaintiff's building. The matter settled in 2017.

Fulton and Zoch Trust Partnership v. Harvest Pipeline Company, Zavala County, Texas District Court, Cause No. 13-06-13021-ZCVAJA – Mr. Simon was retained by legal counsel for Harvest Pipeline, a division of Hilcorp, to provide expert opinions regarding the sufficiency of soil remediation related to several oil pipeline releases. Mr. Simon prepared an expert report and rebuttal report, and then was deposed in 2016. This matter settled in 2017.

Orlando Gasification Plant Site, Early Neutral Evaluation – Mr. Simon is retained by Atlanta Gas Light Company to provide expert opinions regarding the source and timing of contamination related to the historical operations of a former manufactured gas plant. Mr. Simon has prepared an allocation report and an expert rebuttal report for this matter. Mr. Simon was deposed in 2013. The matter is ongoing.

Griffith Energy Services, Inc. v. National Union Fire Insurance Company of Pittsburgh, PA, et al., Circuit Court for Howard County Maryland, Civil Division, Case No. C-12-090532 – Mr. Simon provided expert testimony related to the timing of an oil release into multiple residences. Mr. Simon was deposed in this case in 2013. The matter settled in 2014.

Ryan Environmental, Inc. v. Hess Oil Company, Inc., AIG Domestic Claims, Inc. (Division of AIU Holdings), and Commerce and Industry Insurance Company. Circuit Court of Harrison County West Virginia, Case No. Civil Action No. 10-C-20 - This matter was related to the source and timing of pollutants at a former service station in Mt. Storm, West Virginia. Mr. Simon provided expert testimony, including his expert opinions, at a jury trial in 2011. He was qualified as an expert by the court.

JBG/JER Shady Grove, L.L.C., v. Eastman Kodak Company, Civil Action No. 214877, Circuit Court for Montgomery County, Maryland, 2001 (arbitration) and 2004 (trial), Rockville, Maryland – Mr. Simon provided an expert opinion on sources and extent of releases of hazardous substances, including chlorinated solvents and silver, from a former photographic facility. Mr. Simon evaluated the investigation and planned remediation relative to the Maryland Voluntary Cleanup Program requirements. Mr. Simon also testified regarding the adequacy of Phase I environmental site assessments relative to the ASTM and industry standard practices.

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PRINCIPAL
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F.L. Smidth & Co. v. The Travelers Insurance Company, et al. Hunterdon County, New Jersey, Docket No. HNT-L-21-94, Superior Court of New Jersey, Hunterdon County Law Division, Lebanon, New Jersey – Mr. Simon provided an expert opinion on the timing and sources of chlorinated solvent and petroleum contamination in soil and groundwater. Mr. Simon evaluated investigation and remediation reports prepared by others, reviewed employee depositions, and prepared affidavits submitted to the court. As part of the expert opinion, Mr. Simon directed the computer simulation of contaminant migration.

Timex Corporation v. The Home Insurance Company, et al. 1998. - Mr. Simon provided expert litigation support by evaluating technical consultants' reports and strategies related to a RCRA response at a manufacturing site contaminated with chlorinated solvents in soil and a fractured bedrock aquifer. Mr. Simon evaluated the distribution of contaminants, remedial technologies, and cost. Mr. Simon was deposed in this matter; however, it was settled before trial.

Desoto Associates Limited Partnership v. Arundel Fuel Injection Corporation, Case No. 0101000243197, in the District Court of Maryland for Baltimore City, 1998, Baltimore, Maryland – Mr. Simon directed soil investigation and remediation activities and then served as an expert trial witness regarding the source of petroleum and chlorinated solvent contamination.

US Bankruptcy Court, 1900 Connecticut Avenue Associates Limited Partnership, d/b/a Quality Hotel Central, District of Columbia, 1991, Washington, D.C. - Mr. Simon provided expert witness testimony related to pollution abatement costs related to asbestos-containing materials present at a hotel.

PUBLICATIONS

Mr. Simon is Editor in Chief of Remediation, The Journal of Environmental Cleanup Costs, Technologies & Techniques, which is published by John Wiley & Sons. This is a technical journal directed to members of the scientific and engineering community who specialize in the application of remediation technologies at contaminated sites. As editor in chief, Mr. Simon is responsible for overseeing the overall quality of the journal's articles. He has personally reviewed and provided comments on over 600

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PRINCIPAL
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articles. He has been on the editorial advisory board of this journal since it was first published in 1991 and the Editor-in-Chief since 1999.

Mr. Simon has published over 60 technical articles, columns, and book chapters focusing on elements of remediation technologies, emerging chemicals, and environmental regulations. In addition, Mr. Simon routinely provides presentations at professional meetings, such as the Battelle Remediation Conferences.

Simon J. 2018. Per- and Polyfluorinated Substances Pose Substantial Challenges to Remediation Practitioners. Remediation Journal (Spring).

Simon J. 2017. Subgrade Bioreactors Provide a Novel Source Control Approach for Groundwater Contamination. Remediation Journal (Winter)

Simon J. 2017. Potential Growth in China's Remediation Market. Remediation Journal (Autumn)

Simon J. 2017. EPA's FY 2018 Proposed Budget's Impact on Remediation-related Programs. Remediation Journal (Summer)

Simon J. 2017. Identifying Products for Green and Sustainable Remediation Projects. Remediation Journal (Spring)

Simon J. 2016. Developments in 1,4-Dioxane Investigation and Remediation Techniques. Remediation Journal (Winter)

Simon J. 2016 A New Paradigm for Managing Hazardous Site Investigation and Remediation Projects. Remediation Journal (Autumn)

Simon J. 2016. The Potential Impacts of Advanced Science on the Remediation Industry. Remediation Journal (Summer)

Simon J. 2016. Green and Sustainable Remediation: Where is the Industry Heading? An Update for 2016. Remediation Journal (Spring)

Siimon J. 2015. 1,4-Dioxane Remediation Technology Developments. Remediation Journal (Winter)

Simon J. 2015. Groundwater Resource Depletion's Effects on Remediation. Remediation Journal (Autumn)

Simon J. 2015. The Effects of Climate Change Adaptation Planning on Remediation Programs. Remediation Journal (Summer).

John A. Simon

PRINCIPAL
EDITOR-IN-CHIEF, REMEDIATION JOURNAL

Simon J. 2015. An In Situ Revelation: First Retard Migration, Then Treat. Remediation Journal (Spring)

Simon J. 2014. Perfluorinated Chemicals Continue Gaining Momentum as an Emerging Contaminant. Remediation Journal (Winter)

Simon J. 2014. Green and Sustainable Remediation: What does the Future Hold? Remediation Journal (Autumn)

Simon J. 2014. Incorporating Bioavailability into Risk-based Cleanups. Remediation Journal (Summer)

Simon J. 2014. An Update on the Hydraulic Fracturing Groundwater Contamination Debate. Remediation Journal (Spring)

Simon J. 2013. ASTM International Approves its Greener Cleanup Standard Guide Establishing Guidance on Green Remediation Projects. Remediation Journal (Winter)

Simon J. 2013. Soil Mixing Gains Popularity as an In Situ Treatment Technology. Remediation Journal (Spring)

Simon J. 2013. Quality Post-Remediation Care using Site Management Plans. Remediation Journal (Summer)

Simon J. 2013. Solving Complex Groundwater Sites. Remediation Journal (Autumn)

Simon J. 2012. Using Research Tools as a Looking Glass into Past Environmental Practices. Remediation Journal (Winter)

Simon, J. 2012. US EPA toxicity factors for chlorinated solvents trigger stringent cleanup levels. Remediation Journal. Remediation Journal (Spring).

Simon, J. 2012. LNAPL Transmissivity: Mobility Is the New State-of-the-Art Cleanup Metric. Remediation Journal. (Summer)

Simon, J. 2011. Vapor intrusion issues challenged by an ever-changing regulatory and technical landscape. Remediation Journal (Spring).

Simon, J. 2011. US sustainable remediation forum pushes forward with guidance on the state of the practice. Remediation Journal (Summer).

Simon, J. 2011. Shale gas development: Environmental issues and opportunities Remediation Journal (Autumn).

John A. Simon

PRINCIPAL
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Simon, J. 2010. Green and sustainable remediation—Fad or revolution? Remediation Journal (Winter).

Simon, J. 2010. The controversy surrounding screening levels for trichloroethane and other chlorinated solvents. Remediation Journal (Spring).

Simon, J. 2010. An analysis of the Battelle Remediation Conference as a bellwether for treatment technology trends – Part 4. Remediation Journal (Autumn).

Simon, J. 2009. Atrazine becomes important regulatory issue. Remediation Journal (Winter).

Simon, J. 2009. The economic crisis's effect on the remediation industry. Remediation Journal (Spring)

EDUCATION

Stanford University
M.S., Environmental Engineering and Science

Vanderbilt University
B.E., Civil and Environmental Engineering, magna cum laude
Received Greg A. Andrews Memorial Reward awarded to the senior in civil engineering who, as judged by the faculty, made the greatest progress in professional development and who plans to pursue graduate study in environmental and water resources engineering.

PROFESSIONAL CREDENTIALS

Occupational Safety and Health Administration 40-hour hazardous site worker training and 8-hour supervisor training

ASTM Greener Cleanup Standard – Task Group Lead

Sustainable Remediation Forum – President (2 years) and President Emeritus

Founder and Lead Organizer of the PFAS Experts Symposium, Arlington, VA, May 2019

Steering Committee Member, Battelle Symposium on Bioremediation and Sustainable Environmental Technologies, Miami, FL, May 2017

Steering Committee Member, Battelle Symposium on Remediation of Chlorinated and Recalcitrant Compounds, Portland, OR, June 2021

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PREVIOUS EMPLOYMENT

Nathan Associates Inc.

WSP Environment & Energy/Environmental Strategies Corporation

John Wiley & Sons (Editor-in-Chief, Remediation Journal)

Post, Buckley, Schuh & Jernigan