



## John D. Cain



Mr. Cain has over four decades of comprehensive environmental management experience working as a state regulator, a remediation consultant, an industry environmental manager, a senior manager for an international consulting firm, and as the founder and president of Novesis, Inc.

Mr. Cain is considered an expert on hazardous waste identification, recycling exemptions, hazardous secondary materials, permitting, compliance and Resource Conservation and Recovery Act (RCRA) corrective action. He has been retained for litigation support as a consulting (and testifying) expert for a variety of complex environmental matters including RCRA, Superfund, recycling determinations and permitting applicability disputes. Mr. Cain has over forty years of direct experience with permitting hazardous waste facilities, as a regulator, consultant and a senior regional environmental manager for the largest waste management company in North America. He has been extensively utilized as a resource in matters involving acceptable RCRA exclusions for various recycling activities, utilizing new approaches to recycling exclusions provided by recent court decisions and the major changes to RCRA regulations found in the 2018 Generator Improvement Rules.

He is also recognized as an authority regarding the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), beginning with his work as a state regulator in 1985. His CERCLA expertise has been gained from working all sides of the CERCLA process: as a regulator – doing site discovery, assessment, Hazard Ranking Systems (HRS) site scoring, and identification of Potentially Responsible Parties (PRPs); as a technical consultant – working on site investigations, site scoring, litigation support, remedial designs and remediation; and as a PRP representative – negotiating CERCLA liability, equitable cost allocation and working to control remediation costs.

He has actively participated with the formulation and promulgation of significant environmental regulation and legislation including the first hazardous waste management regulations in South Carolina (1979-1980), the South Carolina Environmental Audit and Disclosure Immunity Act, and the South Carolina Environmental Protection Fund Act.

Mr. Cain's multi-disciplinary experience with a wide range of intricate environmental issues has made him an effective client advocate and persuasive negotiator who has consistently achieved favorable results from State and Federal regulatory agencies. He has been successful with helping his clients realize significant cost savings through strategic planning and comprehensive regulatory understanding. His business approach has also resulted in positive long-term relationships with clients, regulatory officials and industry leaders.

## SUMMARY OF EXPERIENCE

### BUSINESS OWNER

**Novesis, Inc.**

*President and Chief Executive Officer (2008 - Present)*

In 2008, Mr. Cain founded Novesis, Inc. an environmental consulting firm located in Lexington, South Carolina. Novesis' professional services include solid & hazardous waste management, RCRA permitting, RCRA Corrective Action (RFA, RFI, CMS, CMR), waste characterization, training, auditing, RCRA Organic Air Emissions (AA, BB & CC), expert witness/litigation support, and recycling determinations. Site assessment services include State Voluntary Clean-up Programs (VCC/VCP), CERCLA Remedial Investigations (RI) & Feasibility Studies (FS). CERCLA services include (Superfund) HRS site scoring litigation support, and PRP negotiation and liability determinations. Mr. Cain has extensive experience with hazardous and solid waste compliance consulting for automobile manufacturers, battery manufacturers (lead acid and lithium), steel mills, the chemical industry, wood treaters (both RCRA permitted and Large Quantity Generators (LQGs)), and a wide variety of manufacturing facilities.

## **ENVIRONMENTAL CONSULTING**

**ENSR International (AECOM)**  
*Senior Department / Program Manager (1999-2008)*

Mr. Cain opened and managed the Columbia, South Carolina office for ENSR International (now AECOM), a global engineering and consulting firm, and worked there until November of 2008. Shortly after arriving at ENSR he assumed responsibility over the Southeast Region's Integrated Site Closure (ISC) Department (which consisted of over seventy environmental professionals in six states) and worked as the Southeast Region's Brownfield Initiative Practice Leader. He supported and managed staff performing Remedial Investigations (RI), RCRA Facility Investigations (RFI), Phase I and II Site Assessments, Feasibility Studies (FS), Corrective Measures Studies (CMS), Remedial Designs (RD), and implemented multi-media Remedial Actions (RA) for a substantial number of impacted sites regulated under RCRA, CERCLA, and various State Voluntary Cleanup Programs. He served as project manager and provided senior review and oversight on a number of investigation and remediation projects on National Priority List (NPL) Sites and on United States Environmental Protection Agency (EPA) Region 4 "NPL Equivalent" program Sites.

Mr. Cain conducted confidential site assessments utilizing the HRS on behalf of private clients and reviewed the HRS scores of sites scored by the EPA or a State environmental agency. He also provided RCRA consulting for internal staff and clients on a wide array of complex projects, often finding solutions to problems where others had failed.

## **INDUSTRY (HAZARDOUS WASTE MANAGEMENT)**

**Safety-Kleen Corp**  
*EHS Manager (1992-1999)*

Mr. Cain was a Senior Regional Environmental Manager for the largest hazardous waste management company in North America, Safety-Kleen Corporation, until April of 1999. He was responsible for permitting and compliance with all applicable environmental programs (Air, Water, Toxic Substance Control Act (TSCA), and Solid & Hazardous Waste) for five RCRA permitted commercial TSD facilities located in South Carolina and Georgia. He also served on the corporate due diligence team (assisting with potential acquisitions environmental assessment and compliance audits), the annual waste re-characterization team, and the facility audit group conducting routine comprehensive multi-media audits of Safety-Kleen facilities throughout the United States.

## **REMEDIATION CONTRACTING**

**Bryson Industrial Services, Inc.**  
*Director of Engineering & Remedial Services (1988-1992)*

Mr. Cain was employed by Bryson Industrial Services, Inc. until August of 1992. As Director of the Engineering and Remedial Services Division, he was responsible for profit and loss for the Division's operations at the company's two main locations in Lexington, South Carolina and West Memphis, Arkansas. He made regulatory determinations, conducted senior review, hired and managed technical staff, and was responsible for the implementation of a wide variety of environmental remediation technologies on sites throughout the Southeast. Mr. Cain also represented the company in negotiations concerning liability and cost allocation on CERCLA Sites, where the company was identified as being a Potentially Responsible Party (PRP).

## **STATE GOVERNMENT**

**South Carolina Department of Health & Environmental Control**  
*Environmental Quality Manager (1979-1987)*

Mr. Cain began his career as an environmental regulator at the South Carolina Department of Health & Environmental Control (DHEC), where he was actively involved with the creation of some of the earliest RCRA regulations promulgated in the United States. He worked in the RCRA Compliance Section in various roles including: coordinating and conducting some of the first RCRA inspections of Hazardous Waste and Treatment, Storage, Disposal (TSD) Facilities and LQGs, permitting of Hazardous Waste Transporters, RCRA compliance and enforcement referral determinations, assistance with RCRA enforcement cases, drafting modifications to the South Carolina Hazardous Waste Regulations, and design and management of the Department's first Computerized Hazardous Waste tracking system (the Quarterly Report system) which is still in use today.

In 1985 Mr. Cain transferred into DHEC's CERCLA Division where he was among the initial groups of state regulators to be trained by EPA in the use of the Hazard Ranking System (HRS), which is used to score CERCLA/Superfund sites as prospective National Priorities List (NPL) Sites. He was trained by one of the primary people responsible for the creation of the HRS, Mr. Channing Johnson, an EPA contractor working for the MITRE Corporation. During his time in the Site Scoring Section of the CERCLA Division Mr. Cain evaluated, inspected, assessed and scored over fifty CERCLIS Sites, following the National Contingency Plan (NCP) process and utilizing the HRS. He also provided training and senior review to junior staff on the proper implementation

of the PA/SI process and utilization of the HRS. Several of the sites he was involved with were ultimately placed on the NPL, or were later added to the EPA Region 4 group of "NPL Equivalent" sites.

## EDUCATION

### Bachelor of Science, Biological Sciences

**University of South Carolina (1979)**

Mr. Cain received his Bachelor of Science degree in Biological Sciences from the University of South Carolina, Columbia, South Carolina in 1979.

## TRAINING AND ASSOCIATIONS

Mr. Cain has been formally trained in community relations, advanced negotiation techniques, media relations, environmental sampling techniques, selection, maintenance and the proper use of personal protective equipment (PPE), air dispersion modeling, and behavior based safety. From 1988-1992 he was a National Environmental Training Association Certified Environmental Trainer (CET) and has conducted numerous RCRA and health and safety training courses. In 2005 he completed the Massachusetts Institute of Technology (MIT) Sloan School of Management course "Managing Technical Professionals and Organizations."

Mr. Cain has served on numerous advisory bodies for both public and private organizations including: Chairman of the RCRA/CERCLA Subcommittee for the South Carolina Chamber of Commerce Environmental Technical Committee for thirty years, Chairman of the South Carolina Environmental Management Association for five years, and Chairman of the Lexington County Local Emergency Planning Committee (LEPC) for two years. He was also selected to participate in DHEC's Regulatory Reform Advisory Council (RRAC) whose purpose was to streamline South Carolina's environmental regulations and make them more consistent with Federal Regulations.

Mr. Cain has been retained as an expert witness and/or consulting expert on litigation in both State and Federal Courts on matters pertaining to RCRA (TSD permitting, compliance, and enforcement) CERCLA (HRS and NCP), Solid Waste, and recycling matters.