



2023 NOMINATION FOR IHMM BOARD OF DIRECTORS

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For terms beginning January 1, 2024 IHMM's Board has two [2] positions available. **One At-Large Director** that may come from the CHMM, CHMP, CDGP, CSHM, or CSMP credential holders. **One CSMP Director** that must be a CSMP.

Self-nomination is acceptable.

Name of Nominee: M. A. Hamer

Certification number: 15396

What IHMM certification(s) does the nominee hold?

CHMM CHMP CDGP CSHM CSMP

Has the nominee been contacted to confirm their willingness to serve? (Check one) Yes No

*******Please redact all contact information before making form public.**

**NOTE: This information will be made public so take care with what you print above.
Please redact all contact information before making form public.**

This form must be signed to be considered complete. Electronic signatures are acceptable and encouraged. If you cannot sign or otherwise fill out the form electronically, please print and scan a completed and signed version of the form for submission.

By submitting this form, I acknowledge that all information required by this form (entered here or otherwise submitted) is deemed to be a part of this nomination. I attest to the truthfulness of all information submitted.

Nominator's Signature:

Date: 26 June 2023

Please inform the nominee of your nomination before submitting the form.

Nominator's Name: self

Certificate#:

E-mail address:

Daytime Phone:



Accredited by the ANSI National Accreditation Board and the Council of Engineering and Scientific Specialty Boards



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M. A. Hamer
Associate

Mel, selected by her peers as an Indiana Super Lawyers Rising Star honoree in 2019, 2020, 2021, 2022, and 2023, is an associate at KGR and a member of the firm's Construction and Environmental Law practice groups. In addition, she is a registered civil mediator.

Her prior legal experience includes work as a civil defense attorney for another Indianapolis law firm, where she concentrated on environmental, construction, and A/E professional malpractice litigation and insurance coverage. She previously was an attorney in E-discovery and ESI management. She was a law clerk in Marion Superior Environmental Court under Judge David Certo, with the Civil Litigation Section of the Indiana Attorney General's office, and for Chief Administrative Law Judge Mary Davidsen with the Indiana Office of Environmental Adjudication.

Ms. Hamer is a volunteer attorney for multiple projects through the Indianapolis Bar Association (IndyBar), the Indiana Bar Association and the Indiana Bar Foundation. She has served on the Executive Committee for the Women and Law Division (WLD) of the IndyBar since 2017, and chaired the WLD Mentoring Program in 2018 and 2019. As of 2021, she is an at-large member of the IndyBar Insurance Coverage Section's Executive Committee. She has been on the IndyBar Professionalism Committee's Executive Committee since 2017. In 2022, she was elected to a two-year term as Social Media Director of the Indianapolis Chapter of Women in E-Discovery, having previously served a term as Membership Director.

Ms. Hamer was elected to a four-year term beginning in 2020 to the Institute of Hazardous Materials Management's (IHMM) National Board of Directors. She was elected to the IHMM Board's Executive Committee in December 2020 and serves as the Board Secretary. The IHMM certifies and manages multiple hazardous and dangerous materials and occupational safety and health credentials. She is also a regular speaker on environmental law including PFAS topics, administrative laws and procedures, and on construction and insurance law issues.

Ms. Hamer has been a Certified Hazardous Materials Manager (CHMM) since 2010 as accredited under ANSI/ISO/IEC 17024, the International Standard for Personnel Certification Programs and The Council of Engineering and Scientific Specialty Boards (CESB). She also is an environmental professional, as defined in the ASTM E1527 standard for environmental and real estate due diligence and under the U.S. EPA's guidance.

Her prior business experience includes work as an environmental and real estate redevelopment consultant, in environmental laboratories, and regulator in multiple states and regulatory media. Ms. Hamer led her certified woman-owned business for several years, providing environmental risk assessment, technical review, regulatory negotiation and business development services for environmental consultants in Indiana and Illinois. Ms. Hamer was also a senior environmental manager and environmental risk assessor for the Indiana Department of Environmental Management (IDEM). She later was an invited peer-reviewer and is credited for the 2012 IDEM Remediation Closure Guide. She is a founder and a past vice president and treasurer of the Midwestern States Environmental Consultants Association and was an organizer of the 2006, 2009, and 2010 Midwestern States Risk Assessment Symposiums.

Ms. Hamer earned her Bachelor of Arts degree in Biology from Columbia College where she graduated cum laude. She then earned her Juris Doctor degree from Indiana University Robert H. McKinney School of Law and a graduate certificate in Environmental and Natural Resources Law.

M. A. Hamer, Esq, CHMM, Reg. Civil Mediator

EDUCATION:

Indiana University Robert H. McKinney School of Law Indianapolis, IN
Juris Doctor 5/8/2016 - 3.313 GPA

Energy, Environmental, & Natural Resources Graduate Certificate

- Norman Lefstein Award - Gold, for over 250 hours pro bono work
- Environmental Law Society, Officer for 2014-15 & Chair for 2015 Symposium
- Student Liaison to/member of Indiana State Bar Association's Alternative Dispute Resolution Section
- Selected 2014-15 and 2015-16 McKinney Mentor; McKinney Ambassador
- Attended on academic scholarship
 - Phi Delta Phi Honor Society
 - Teal Tie Dinner 2016 Committee
- Dean's List

Columbia College Columbia, SC

Bachelor of Arts (Cum Laude); 6/5/1999 - 3.5 GPA

- Major in Biology, Minor in Mathematics
 - Chi Beta Phi (Scientific Honor Society)
 - Order of the Purple Seal (Academic Honor Society)
- Dean's List all semesters
- President's and Trustees' Scholarships Recipient, Member of Honor's College
- Presenter at the National Collegiate Honors College Chicago conference

LEGAL EXPERIENCE:

Attorney admitted to practice on May 11, 2016, in the State of Indiana (No. 33858-49), and in S/N Dist. of Indiana

Kroger, Gardis & Regas, LLP 11/08/2022 – present
Associate Attorney Indianapolis, IN

- Litigate complex, multi-party cases for construction, environmental, and engineering professional malpractice clients; construction and general business advising and contract drafting/negotiation; and electronic discovery and document retention advising
- Represent clients in administrative/regulatory representation, bid/RFP issues, mechanics liens, collections, leases, and miscellaneous other issues.
- Provide coverage evaluations & recommendations on commercial general liability, builders' risk, professional liability, and specialty insurance policies for clients.
- Represent clients in IDEM/U.S. EPA claims, in enforcement and permit disputes, & CERCLA RP designations

Norris Choplin Schroeder LLP 8/22/2016 – present
Associate Attorney Indianapolis, IN

- Primary work involving complex litigation of environmental, construction defect, construction contracts (including AIA forms), insurance defense and coverage cases, product defect, asbestos, and business disputes
- Taken and defended numerous depositions of fact, expert, and 30B6 witnesses, including preparing witnesses for all types of depositions and pre-suit interviews
- Firm lead on e-Discovery and ESI issues and process
- Prepared for and represented clients in multiple mediations, including complex, multi-defendant mediations
- Create and negotiate contracts and subcontract agreements, leases, and financing agreements
- Argued summary judgment motions, appear for miscellaneous hearings, including bifurcation and dismissals

Proteus Discovery Group / Mattingly Burke Cohen & Biederman LLP 5/2016-8/2016
ESI/Privilege Review Attorney Indianapolis, IN

- Conduct detailed privilege and discovery reviews for complex litigation and in response to DOJ requests

Professor Shawn Boyne, Indiana University Robert H. McKinney School of Law 9/7/2015–4/1/2016
Research Assistant Indianapolis, IN

- Editor of the Diplomacy Lab Report 2016 from IU McKinney, with U.S. Department of State
- Analysis of international comparative law surveys

Melissa Allen Hamer, Esq, CHMM, Reg. Civil Mediator

Office of the Indiana Attorney General, Civil Litigation Section

5/18/2015–9/30/2015

Law Clerk/Legal Extern

Indianapolis, IN

- Drafted memoranda, pleadings, briefs, discovery, & recommendations in a variety of civil, administrative, & constitutional claims against and by the State of Indiana; compiled & analyzed national statute surveys

Hon. Mary Davidsen, Chief ALJ, Indiana Office of Environmental Adjudication

8/26/2014–12/15/2014

Law Clerk/Legal Extern

Indianapolis, IN

- Drafted memoranda and orders on IDEM appeals to final determinations; organized and reviewed class action permit challenges to IDEM actions

Hon. David Certo, (then) Presiding Judge, Marion Superior Courts

5/2014-10/2014

Law Clerk/Legal Extern

Indianapolis, IN

- Drafted orders and memoranda for the court on environmental insurance, company succession and veil-piercing, constructive fraud, due diligence, and complex off-site contamination claims
- Researched and drafted CLE presentation on securing statutory attorney's fees for off-site contamination claims

SELECT PRESENTATIONS/PAPERS/AWARDS:

- SuperLawyers Rising Star – Environmental Litigation, 2019, 2020, 2021, 2022
- Real Estate Due Diligence & PFAS/Environmental Law Update – 10/2022 Ind. Government Center South
- Real Estate & Environmental Due Diligence Law Updates – 05/2022 MSECA Conference
- Interplay of Insurance Coverage, Indemnification Clauses, and Transfer of Risk in a Construction Context CLE co-presented through IndyBar – July 2021
- Environmental Law – PFAS Update – MSECA Conference, 12/2020
- Environmental Law Update – MSECA Conference, 12/2019
- Law Update and practice tips presentations – MSECA Summer meeting, 06/2019
- Legal Risk Assessment for Consultants / Environmental Law Updates – MSECA Conference, 12/2018
- Brownbags for various environmental consultants regarding performing as expert versus fact witness, expert report preparation, and environmental law updates 2018-19
- Presentation on results of U.S. Diplomacy Law project at ASC Conference, New Orleans, LA, Nov. 2016
- 2015 & 2016 “Angel Award” – Montessori Garden Academy, for outstanding volunteer work
- MSECA Women in Consulting Luncheons, 2013, 2014
- IDEM's Remediation Closure Guide, initially promulgated 2012 (Technical peer review, calculations)

COMMUNITY INVOLVEMENT INCLUDES:

- Institute of Hazardous Materials Management; National Board of Directors for 2020-2024, Board Secretary since 12/2020; Rockville, Md.
- IndyBar: Insurance Coverage Exec. Committee, since 12/2020; WLD Exec. Committee, since 01/2017; Chair of Mentoring Program, 2018-19; Professionalism Committee member, since 2018; Enviro & ADR Sections
- Indiana Bar Association; Environmental and ADR Sections
- Indiana Association of Mediators
- Montessori Garden Academy School; Board Secretary (2016-18) and Board of Directors, President (2015-2018)
- Midwestern States Environmental Consultants' Assoc. (MSECA); Vice-President 2012-13, Sec'y/Treas. 2009-12, co-founded in 2009; also, Chair of Women in Consulting Committee and various Technical Workgroups
- Irvington Development Organization; Real Estate Committee Member, 2009-2013
- Interstate Technology Regulatory Council; Indiana representative, 2007; technical writer for Risk Assessment & Management in Site Clean-ups guidance publication & invited trainer, 2006-2008

CERTIFICATIONS/TRAINING INCLUDES:

- Registered Indiana Civil Mediator
- *Certified Hazardous Materials Manager* (CHMM) No. 15396, since 2010
- Previously held 40-hour HAZWOPER (with refreshers for ~13 years) and general contractor license (Indianapolis/Marion County); worked under firm engineering/contractor license in NC

Melissa Allen Hamer, Esq, CHMM, Reg. Civil Mediator

- Electronic discovery, Indiana Bar Association, 2015-2016 + Advanced Civil Procedures in ESI (continuing)
- Disaster Relief and Property Insurance Mediation Training sessions, Indiana Bar Association, 4-5/2015
- Numerous courses in business leadership; environmental regulations; vapor intrusion; risk assessment and risk management; toxicology; OSHA/HAZWOPER; environmental/organic chemistry; hydrogeology; bioremediation; engineered/ chemical remediation technologies; and RCRA waste characterization, management, transportation, and treatment.

REPRESENTATIVE WORK/LITIGATION:

- Briefed and won summary judgments on contract indemnification and limitation of liability for clients, including on AIA standard contracts, resulting in case dismissals and settlements.
- Negotiated complex \$MM contracts for construction, architects, and miscellaneous business issues.
- Represented engineering firm in complex, multi-party pre-suit mediation, discovered contamination cause for \$6.1M concrete failure in hospital foundation and that the builder's risk insurance policy contained a pre-Kiger exclusion clause, and successfully negotiated other exclusion clauses, tolling agreement, and case strategy for client, resulting in claimant hospital recovering majority damages against own insurer and GC, not client.
- Successfully mediated and negotiated minimal contribution settlement in multi-party construction defect case, where information led to a second amended complaint against additional defendants.
- Defended client in complex multiparty construction defect case in both underlying and declaratory judgment cases, taking and defending depositions in both, successfully negotiate discovery disputes including against punitive damages; preparing/responding summary judgment motions on coverage and duty; preparing to complete multi-year discovery and for mediation.
- Represented clients against IDEM for improper denial of claims and against proposed Agreed Orders, resulting in reversal and acceptance by IDEM, restoration of trust fund eligibility, and payment of \$360,000+.

OTHER EXPERIENCE:

- | | |
|---|-------------------------|
| TestAmerica Laboratories | 6/13/2011 to 4/30/2015 |
| Service Center Manager | Indianapolis, IN |
| ▪ Opened and managed local office for international laboratory chain, also interim manager Jan 2014 through 4/30/2015; business development (fed'l, state, private), regulatory support, and contracting. | |
| Microbac Laboratories, Inc. | 10/12/2009 to 1/7/2011 |
| Contract Regulatory Specialist | Indianapolis, IN |
| ▪ Regulatory support and assistance to internal and external clients, training & business development, including federal and state contracting. | |
| JH Environmental | 9/1/2009 to 5/31/2011 |
| Senior Scientist | Indianapolis/Auburn, IN |
| ▪ Senior scientist on variety of projects, from indoor air and construction/construction monitoring at GSA renovation projects for the VA and FBI to investigations for current/former manufacturers; GSA contracting and project management for service disabled, veteran owned business; contractors/subcontractors project management. | |
| Indiana University & Purdue University at Indianapolis | 8/24/2009 to 12/31/2009 |
| Adjunct Faculty | Indianapolis, IN |
| ▪ Taught graduate "Environmental Risk Analysis" class, under EPA's Risk Assessment Guidance for Superfund. | |
| Enviro-Assist, LLC | 11/8/2008 to 10/31/2013 |
| Owner/Principal | Indianapolis, IN |
| ▪ Principal for certified-WBE environmental consulting company, providing risk assessment and management evaluations, electronic tools, technical writing, and regulatory advising to Indiana and Illinois firms. | |

M. A. Hamer, Esq, CHMM, Reg. Civil Mediator

- Acuity Environmental Solutions** (f/k/a Seabreeze Environmental) 12/1/2008 to 2/12/2009
Contract Risk Assessor/Senior Project Manager Fishers, IN
- Performed risk assessment evaluations and technical writing for contaminated properties and brownfield redevelopment/construction projects for Alcoa Aluminum and on hexavalent chromium insurance projects, data quality assurance reviews on analytical data.
- Indiana University & Purdue University at Indianapolis** Fall 2008
Guest Lecturer Indianapolis, IN
- Guest lectured on environmental regulations/compliance for land & waste management, sampling requirements, and basic risk assessment and risk management decision making.
- Lee & Ryan Environmental Consultants, Inc.** 9/10/2007 to 10/31/2008
Technical & Quality Assurance Director/Environmental Director Indianapolis, IN
- Managed environmental division, including all field and associated construction/demolition/equipment maintenance operations; senior review of all technical and engineering plans for investigation and remediation of petroleum and hazardous waste contaminated properties, budgeting and business development for office for over 70 sites in IN/OH and ~20 staff, held general contractor license for City of Indianapolis and organize all contract/subcontract work including construction/demolition; contracting on federal, state, and private work including service disabled, veteran owned set-asides and retaining, reviewing, and managing subcontractors.
- Indiana Dept. of Environmental Management (IDEM)** 6/13/2005 to 9/7/2007
Sr. Environmental Mgr. & Risk Assessor Indianapolis, IN
- Risk assessor and senior technical reviewer for multiple regulatory areas in the Office of Land Quality; represented department in external workgroups and at the Interstate Technology and Regulatory Council.
- Fuss & O'Neill, Inc. Engineers** 9/6/2004 to 6/10/2005
Environmental Scientist/Engineer Greenville, NC
- Technical and engineering review of remediation systems and petroleum/hazardous waste contaminated properties on the east coast; budgeting and business development; management of large, multi-site U.S. EPA Voluntary Remediation program for contamination from hurricane damage; contractors/subcontractors management for construction/demolition/reconstruction projects from hurricane recovery/redevelopment.
- Delta Environmental Consultants, Inc.** (formerly Amoco, now Antea Group) 3/5/2001 – 9/1/2004
Project Professional Naperville, IL
- For client BP North America, project management of gas station site contamination investigation, redevelopment (including demolition and construction of new) and regulatory closure projects; specializing in negotiating and securing third-party access, institutional property controls, highway authority agreements, and closure of legal sites, in conjunction with internal and external BP attorneys and state and Cook County regulatory authorities.
- SC Dept. of Health and Environmental Control** 6/14/1999 to 2/23/2001
Environmental Health Project Manager Columbia, SC
- Enforcement project manager for RCRA and infectious waste enforcement cases; consulting with U.S. EPA Region IV and responding to oversight requests.

NOMINEE QUALIFICATIONS

Please describe below the reasons you think the nominee would make a good IHMM Board Member. Include anything that highlights the individual's qualifications, such as service on standards committees, volunteer service or leadership positions in other organizations, etc.

I have served on multiple boards in the past, from community and professional organizations and non-profits. I currently service on committees for the Indianapolis Bar Association (Insurance Coverage; Women in the Law; and Professionalism) and as a board member for Women in E-Discovery, which is an international legal technology education professional organization.

Please describe below what the nominee hopes to accomplish as a Board Member at IHMM. This could include policy or project proposals, leadership in certain areas, or other contributions the nominee sees him or herself making in the governance of the Institute.

If re-elected, I hope to continue my work with the board, notably to continue to improve the communication from and recordkeeping of the Board; to facilitate better communication of Board activities and projects to certificants; and, to assist in the next round of strategic and succession planning for the future of the IHMM, which we're beginning in the fall of 2023. I'm exciting about continuing the new "cradle to grave" certifications for student and early career professionals as well as those transitioning from military service. I'm also very proud of the work we've done to incorporate and support the newer health & safety certificants into the IHMM, but there is more work to be done, notable creating CHSM fellos and continuing to support credential accreditation and scholarship.

Please describe below any civil or criminal litigation, state or federal agency enforcement actions, or other governmental or quasi-governmental enforcement actions taken against you or with which you have been involved. Include the nature of the action and your role in it either specifically against you as an individual or against a board or committee of which you were a part.

I have never had any enforcement action taken against me personally. However, I have defended enforcement actions by envirmetal regulatory agencies as part of my employment. As an attorney, I am litigating multiple cases currently. I have had personal litigation in small matters, such as a collection against a former tenant of a rental property of mine for damages and lost rent, and for the proper payment of auto-insurance claims by the admitted at-fault driver's insurance company, which we were able to quickly settle. As a registered civil mediator, I much prefer to find amicable resolution to all cases and advocate for pre-suit mediation and alternative dispute resolution over costly and time-consuming litigation.

With this form, please submit a **current resume** (five-page maximum) including education, work experience and professional affiliations.

In addition, please submit a **half-page bio** summarizing job history and education. In signing then submitting this form you are also agreeing to an IHMM Nominating Committee background check as a further condition of being considered to serve on the IHMM Board.

Please submit the completed nominations form to Eugene A. Guilford, Jr., Staff Liaison to the IHMM Nominating Committee, at gguilford@ihmm.org.