

Environmental Government Enforcement Actions

Businesses operating in New Jersey face an especially rigorous environmental regulatory landscape, overseen by both the New Jersey Department of Environmental Protection (NJDEP), and the U.S. Environmental Protection Agency (EPA). These governmental agencies possess extensive enforcement powers and are capable of pursuing significant penalties, costly corrective actions, and even criminal charges. The firm's environmental litigators defend parties facing environmental government enforcement actions with the goal of minimizing penalties, mitigating reputational damage, and achieving favorable resolutions.

Our attorneys are adept at navigating the complex administrative and judicial processes associated with government enforcement actions including notices of violation, information requests, inspections and audits, and Administrative Consent Orders (ACOs). The firm represents clients in challenges to alleged violations and proposed penalties, including administrative hearings before New Jersey's Office of Administrative Law (OAL) or EPA administrative law judges. In cases referred to the New Jersey Attorney General's Office or the U.S. Department of Justice for judicial enforcement, we defend clients in state and federal court against civil complaints seeking injunctive relief and substantial civil penalties. In cases involving criminal investigations, we serve as legal counsel to individuals and corporations facing potential criminal environmental charges.

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Experience

Representative Matters

- Representing a multinational manufacturing and technology company in a multi-party CERCLA cost-recovery and contribution action involving alleged contamination of a Northern New Jersey waterbody and surrounding wetlands.
- Representing two multinational manufacturers in connection with federal Superfund sites in western New Jersey, advising on remediation strategy, redevelopment planning, negotiations with U.S. DOJ and U.S. EPA, cost-recovery litigation, institutional controls, and emerging contaminants.