# Environmental Litigation & Dispute Resolution

For businesses facing the significant costs of environmental investigations and cleanups, or those seeking to hold responsible parties accountable for historical pollution, strategic legal representation is indispensable. Greenbaum's environmental litigators handle all phases of civil litigation, enforcement and penalty actions and administrative proceedings on environmental issues, practicing in state and federal courts, before administrative agencies and other regulatory bodies, and in dispute resolution such as arbitration and mediation proceedings.

They are deeply experienced in pursuing and defending against claims related to contaminated sites and cleanup cost recovery, litigating issues of site remediation liability and cost recovery under New Jersey and federal statutes and the allocation of responsibility among potentially responsible parties (PRPs). They strategically assess each case, identify all PRPs, evaluate available defenses, and aggressively pursue cost-effective solutions through negotiation, alternative dispute resolution, or courtroom advocacy to protect our clients' financial interests and resolve environmental liabilities.

The firm represents a diverse roster of clients, including property owners, developers, operators and manufacturers, in a broad range of matters. Our environmental litigation profile encompasses New Jersey Spill Act cost recovery litigation, including representing current and former property owners and operators or remediating parties in recouping cleanup costs from prior or current owners, operators or other responsible parties, representing parties accused by the state or private parties of Spill Act or other environmental liability, and litigating contribution actions among multiple responsible parties.

In federal CERCLA (Superfund) litigation, we defend clients against Environmental Protection Agency (EPA) actions and assist private parties in recovering cleanup costs from other PRPs or defending against such claims. We engage in negotiations with state and federal governmental agencies on the scope of cleanups and related costs.

Beyond statutory claims, we pursue and defend against common law claims related to environmental contamination, including actions associated with nuisance, trespass, strict liability and negligence. We have litigated environmental liability insurance coverage cases and are experienced in asserting claims against insurers and when necessary, pursuing litigation against insurers. We also advise and represent clients in cases

involving Natural Resource Damages (NRDs) and in administrative litigation and appeals, including hearings before the Office of Administrative Law.

We deal with state and federal environmental authorities in the process of estimating and resolving environmental liabilities in bankruptcy and other insolvency proceedings. We also act as neutrals in alternate dispute resolution (ADR) proceedings, including acting as arbitrators and as mediators in private mediations as well as those referred to us by state and federal judges.

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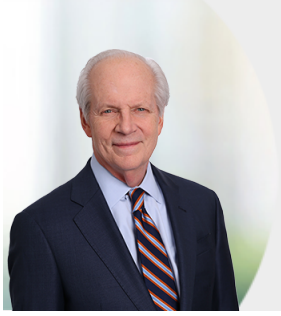

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## Experience

### 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 a multinational environmental services company in a complex NJDEP matter arising from a decades-old fuel oil discharge, securing site access for remediation and pursuing a technical impracticability determination designed to significantly reduce long-term regulatory obligations and remediation costs.

- 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.
- Representing the world's largest pest control company in proceedings before the NJDEP arising from historical fuel oil contamination, including negotiating site access, pursuing litigation to obtain remediation rights, developing remedial strategies, and advocating for a technical impracticability determination to reduce long-term regulatory obligations and costs.
- Serving as environmental and land use counsel to the owners of a substantial portfolio of commercial and industrial properties in New Jersey and surrounding areas. We are advising on environmental compliance, leasing and transactional issues involving regulated materials, and environmental litigation affecting property operations and redevelopment.
- Represented the New Jersey Schools Development Authority in long-running condemnation and environmental remediation litigation, securing recovery of more than $4 million in escrowed funds to reimburse cleanup costs incurred by the client.
- Representing a multinational environmental services company in a complex NJDEP matter arising from a decades-old fuel oil discharge, securing site access for remediation and pursuing a technical impracticability (TI) determination designed to significantly reduce long-term regulatory obligations and remediation costs.
- Representing the world's largest pest control company in proceedings before the NJDEP arising from historical fuel oil contamination, including negotiating site access, pursuing litigation to obtain remediation rights, developing remedial strategies, and advocating for a technical impracticability (TI) determination to reduce long-term regulatory obligations and costs.

## Insights & More

### Announcements

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on “Ones to Watch” List
8.21.25

Greenbaum, Rowe, Smith & Davis Recognized on 2025 "Best Law Firms®" rankings by Best Lawyers®
11.06.24

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition
8.14.24