



ENVIRONMENTAL LAW

Peckar & Abramson's Environmental Law attorneys are committed to providing concrete results — those that allow our clients' businesses to succeed. We know how to avoid civil penalties, mitigate liability and protect our clients' interests.

Our clients — which include contractors, developers, manufacturers, financial services companies, oil and gas companies, utilities and many others — feel confident and assured knowing that our team can seamlessly navigate the complex web of federal, state and local environmental regulations.

We have dealt with a wide spectrum of federal and state environmental laws, regulations and audit policies for decades, and have a highly specialized focus on environmental concerns as they relate to construction and infrastructure projects. This robust legal knowledge, combined with longstanding government contacts and incisive construction dispute resolution skills, has enabled numerous clients to resolve environmental concerns and move their projects forward. We bring all of our experience to bear in our clients' environmental matters, always mindful that clients need — and expect — Results FirstSM.

Avoiding Environmental Liability

Positive, early action is the key to avoiding environmental liability. We enforce meticulous and targeted due diligence investigations, including reviews of Phase I and Phase II reports, and implement comprehensive auditing policies. Our lawyers carefully examine contracts looking for unforeseen liabilities, then craft corrective provisions that protect clients from unneeded threats. We also procure the necessary environmental insurance on behalf of our clients to further mitigate legal and financial risk.

By leveraging this knowledge and expertise, our clients can reduce and avoid civil penalties.

Experienced Litigators

If enforcement action or litigation is unavoidable, we are ready to defend our clients with every resource at our disposal.

We have taken on actions brought by state and federal agencies, private citizens and businesses alleging environmental violations. We also defend clients against toxic tort litigation, including class and individual actions seeking damages for wrongful death, personal injury, and property damage arising from groundwater and soil contamination.

Our attorneys are nationally recognized for the litigation capabilities and are relentlessly committed to securing favorable results that enable our clients' businesses to thrive.

Representative Experience

The scope of our work includes:

- Private-party litigation
- Government enforcement actions
- Permit proceedings
- Claims under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA/Superfund), the Clean Air Act, the Clean Water Act, Resource Conservation Recovery Act (RCRA), Toxic Substances Control Act (TSCA) and Emergency Planning and Community Right-to-Know Act (EPCRA)
- Corporate transactions and due diligence
- Insurance coverage proceedings
- Audits, including disclosures to government agencies under audit policies
- Toxic tort actions, including class and individual
- Administrative rule development and challenges
- Mold, asbestos and indoor air-quality matters
- Cost-recovery proceedings
- Brownfields redevelopment
- Compliance counseling

Navigating the Permitting Process

We advise clients on environmental permitting, including permits related to:

- Hazardous waste
- Wastewater
- Stormwater
- Air emissions
- Demolition
- Urban infill (brownfields)
- Building on or near environmentally sensitive lands
- Proper handling of hazardous materials on construction sites
- Recycling of project waste materials
- Proper disposal of materials at third-party sites

Environmental Liability

Typical liability issues our Environmental Law Group address include:

- Underground storage tanks
- Other preexisting hazardous waste conditions
- Site contamination
- Asbestos removal and disposal
- Health, Safety and Occupational Health and Safety Administration (OSHA) concerns
- Regulatory reporting obligations