

Providing balance

It's difficult to navigate the complex body of laws and regulations designed to protect public health and the environment. The Hodgson Russ Environmental Practice Group helps clients achieve their business objectives efficiently and responsibly. Our attorneys have in-depth experience in the areas of environmental risk assessment, allocation, and management; litigation; hazardous waste and Superfund site cleanup; compliance counseling; and project development and land use. Our clients include national and multinational industries, commercial developers, and municipalities.

Environmental risk assessment, allocation, and management

We help clients identify and manage environmental risk in acquiring or divesting industrial and commercial properties and businesses. We have extensive experience in the creation of risk quantification and transfer tools, including environmental liability transfers and highly manuscripted insurance products designed to address risk management in the unique context of a particular transaction.

Environmental litigation

Our attorneys represent clients in a wide range of civil and criminal environmental cases, including the defense of Superfund matters, toxic tort lawsuits, and statutory enforcement actions brought by the government, environmental citizen-action groups, or private parties.

Project development and land use/SEQR

We are experienced in helping clients develop, construct, and operate commercial, industrial, residential, recreational, and public sector projects. We provide assistance with environmental impact review obligations under the State Environmental Quality Review Act, IDA projects, site plan review, wetlands regulation, archaeological and historic resource protection, and coastal zone management.

Contaminated/Superfund sites

We assist clients in managing liability arising from waste disposal and petroleum-impacted sites. Our group negotiates and litigates with the United States Environmental Protection Agency (USEPA), state agencies, and private parties across the United States. We were instrumental in negotiating USEPA's first-ever acceptance of an "environmental liability buyout" in a formal consent decree.

Compliance counseling

Attorneys in our group help clients comply cost-effectively with statutory and regulatory requirements in various areas, including:

- ▶ Permitting/regulatory compliance related to air, water, chemicals, pesticides, right-to-know obligations, solid and hazardous waste, and petroleum/tanks
- ▶ Planning for emergencies
- ▶ Managing the decommissioning and demolition of manufacturing facilities
- ▶ Managing industrial health and safety

Ground-breaking approach to remediation liability

Hodgson Russ's environmental attorneys have developed on behalf of clients an innovative way of dealing with environmental remediation liability through a complex series of agreements, including sophisticated insurance instruments, liability transfer agreements, settlement agreements, and redevelopment agreements. This pioneering way of negotiating very contentious issues has resulted in significant private-party liabilities being discharged and contaminated sites being remediated and redeveloped.

For more information, please contact:

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