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ENVIRONMENTAL COST RECOVERY

Recognizing client demand for efficient environmental cost recovery strategies particularly tailored to today's challenging business conditions, Van Ness Feldman has established an environmental cost recovery unit (CRU) that enables clients to maximize use of customized fee structures and insurance assets for environmental cost recovery. The CRU team is comprised of former government enforcement attorneys and insurance recovery specialists to support clients in prioritizing, funding, and maximizing environmental cost recovery efforts.

The Van Ness Feldman CRU focuses on assisting clients in developing and refining their environmental cost recovery programs to make them more effective. Our experience is that prior owners and operators, arrangers and transporters, if approached methodically, will pay a fair share of investigation and remediation costs. Similarly, our experience with insurance claims for environmental costs is that carriers will frequently honor defense and indemnity obligations if provided the necessary information. Since additional damages can be pursued against recalcitrant responsible parties and insurance carriers a comprehensive program maximizes use of these incentives to encourage earlier cooperation and payment.

The CRU team has been successful at recovering millions of dollars of environmental costs for public and private clients in the energy, manufacturing, petroleum refining, scrap, dry cleaning, lumber and other industries, and have obtained cost recovery and insurance coverage for environmental costs that may be the result of clients' ownership of property, operations, or activities that took place years ago.

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