



Environment

COMPLIANCE, AUDITS & ENFORCEMENT

Environmental Compliance

Drawing on our broad-based understanding of regulation, policy, complex transactions, and enforcement, Van Ness Feldman is able to provide its clients with assistance on numerous matters related to environmental compliance.

Environmental Management Systems. Members of the firm have extensive experience reviewing the scope and structure of corporate environmental programs, and the assignment of environmental responsibilities within each organizational unit, in order to ensure that clients have effective and responsive environmental management systems in place.

We have worked with clients to develop clear and well-defined environmental policies, and have designed assessment programs that enable senior management to meet their corporate responsibilities and to achieve corporate environmental goals.

Regulatory Compliance. Clients rely upon us for our experience and practical strategies for meeting the complex requirements of environmental laws and regulations.

We assist clients with the important task of ensuring their ongoing compliance with numerous environmental requirements – which includes obtaining and renewing necessary permits and approvals, identifying potential problems, and applying creative solutions to existing enforcement concerns.

We have advised clients on such related issues as audit privilege and investigations of noncompliance, and work with clients to respond to governmental inquiries, or notices of violation, in ways that will avoid costly litigation and unfavorable publicity.

Commercial Transactions. Our environmental lawyers have broad experience managing environmental issues in real property and commercial business transactions.

Typical projects may involve evaluation of potential liabilities and regulatory compliance, and negotiation of key environmental terms of the transaction. Our careful attention to representations and warranties as well as indemnity provisions can assist clients in later cleanup disputes between purchasers and sellers of contaminated industrial property.

In numerous cases following a transaction closing, clients ask us to continue supervision of significant environmental concerns, including permit compliance, remedial actions and development of environmental management systems.

Types of contaminated properties in matters we have handled include metal scrap yards, abandoned urban industrial facilities, landfills, hazardous waste management facilities, petroleum and chemical refineries, and other heavy industrial manufacturing facilities.