DOWNEYBRAND

Environmental Remediation & Due Diligence

When hazardous substances are released into the environment, the potential cost of investigation and remediation can be staggering.

Environmental Remediation

With a focus on minimizing the risks of liability and implementing cost-effective strategies, our environmental remediation and air quality attorneys negotiate with regulatory agencies, other responsible parties, impacted neighbors, and insurance companies to manage and contain these costs. We have experience with all of the key agencies (EPA, DTSC, Regional Water Boards) on establishing the scope of investigations, setting cleanup levels, and selecting interim and final remedies. We help clients navigate the complex issues related to recovering costs of remediation from responsible parties, whether through negotiation, mediation, or litigation.

Environmental Due Diligence

Our attorneys have extensive experience counseling clients on environmental risks in real estate and corporate transactions, from large mergers involving dozens of properties to smaller single property real estate transactions. Our experience is this area is unmatched, having analyzed hundreds of environmental site assessments. We assist clients in the negotiation of indemnities and other risk-shifting devices in purchase and sale agreements and in the procurement of environmental insurance policies in appropriate circumstances.

Selected Experience

- Advise one of America's largest privately held companies regarding the evacuation of its warehouse facility caused by hydrogen sulfide releases and manage subsequent investigation/remediation as well as employee concerns.
- Assist international company in the early transfer of former naval shipyard property with significant residual contamination including metals, solvents, hydrocarbons and PCBs for redevelopment as a health science research campus.
- Common counsel to a multi-party Trust conducting multi-million dollar cleanup of abandoned used oil recycling facility under the supervision of EPA Region IX.
- Counsel to a group of companies regarding regional groundwater plume, including remedial investigation that demonstrated to Regional Water Board that plume originated from a facility operated by a third party.
- Environmental counsel for commercial real estate developer in the redevelopment of former petroleum tank farm into transshipment warehouse in Los Angeles Port area. Regional Water Board provided expedited closure letter.
- Represent major California real estate investor in environmental evaluation of all investments and in structuring transactions with environmental issues.