

Practices & Industries

Environmental Transactions & Due Diligence

Overview

Our environmental team offers unparalleled experience in managing a wide range of transactions, from addressing local brownfield redevelopment challenges to navigating the complexities of large-scale, national portfolio acquisitions involving energy assets. We are dedicated to facilitating smooth and successful transactions, providing strategic counsel at every stage of the process.

With a deep understanding of federal and state environmental laws and regulations, our attorneys bring a wealth of knowledge and practical insight to help clients address environmental risks and capitalize on opportunities. Whether negotiating environmental provisions in contracts, conducting due diligence, or securing regulatory approvals, our team excels at delivering solutions tailored to the unique needs of each transaction.

Our team works with developers, investors, financial institutions, and corporate clients on deals spanning industries such as real estate, energy, manufacturing, and infrastructure. Our attorneys are adept at addressing the environmental aspects of acquisitions, dispositions, financing, and joint ventures, ensuring that all potential liabilities and compliance obligations are managed effectively.

Our attorneys have cultivated strong relationships with regulators, financial institutions, consultants, and other key players in the industry, enabling us to facilitate smoother and more efficient transactions. This network, combined with our extensive experience, ensures that we can effectively address any challenges that may arise.

We collaborate seamlessly with our colleagues across Day Pitney's Real Estate, Energy, Corporate, Tax, and Employment practices, offering clients a comprehensive and multidisciplinary approach. No matter how complex the transaction, our team has the depth of experience and technical knowledge needed to deliver practical solutions and successful outcomes.

Experience

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.

Our transactional experience includes:

- Structuring Environmentally Complex Agreements: Skilled in negotiating purchase and sale agreements that address multifaceted environmental considerations.
- Due Diligence and Risk Assessment: Comprehensive due diligence and risk analysis for energy investors and developers to ensure informed decision-making.
- Permits and Regulatory Approvals: Expertise in obtaining and transferring permits and approvals tied to changes in fee or stock ownership.
- Risk Management Solutions: Proficient in managing environmental risks, including securing environmental insurance to mitigate liabilities.

- Emerging Contaminants: Guiding clients through transactions involving PFAS compounds and other emerging contaminants.
- Compliance with State Regulations:
    - Navigating Connecticut's Transfer Act and new Release-Based Cleanup Regulations.
    - Ensuring compliance with New Jersey's Industrial Site Recovery Act (ISRA) for smooth transactional outcomes.
- CERCLA and RCRA Sites:
    - Managing purchases and sales of properties impacted by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
    - Addressing transactions involving Resource Conservation and Recovery Act (RCRA) corrective action sites.
- Asset Transactions: Facilitating the purchase and sale of commercial, industrial, and energy generation and transmission assets.