



SUPERFUND/CERCLA

We represent clients in all aspects of the defense of liability and cost recovery actions under CERCLA as well as analogous Florida statutory and common law, as well as conducting cost recovery actions for individual clients or on behalf of cooperating PRP (Potentially Responsible Party) Groups. We have extensive experience advising clients regarding reporting obligations under CERCLA, the preparation and response to CERCLA 104(e) requests for information from US EPA, the negotiation of consent orders and decrees for Remedial Investigation/Feasibility Studies and Remedial Design/Remedial Actions at Superfund sites. Members of the firm have served as common counsel and Technical Committee Chairs to PRP Groups (such as the Peak Oil Site Group). We have served as allocation counsel for the Peak Oil Group – successfully settling (without litigation) over a thousand de minimis parties through an allocation protocol approved by EPA Region IV and administered by the firm.

In the transactional context, we have advised land owners clients, prospective purchasers and lenders as well as governmental entities, regarding liability under CERCLA and analogous state laws, including exemptions and defenses under CERCLA (such as the “innocent purchaser defense”, the scope of “All Appropriate Inquiry” as part of acquisition due diligence, successor liability issues, etc.).