Environmental and Land Use

> We have been dealing with Brach Eichler for many years now. They have guided us through a very lengthy issue and I cannot imagine having to deal with any other firm. They have advised us in such a knowledgeable and cost effective way. Their responsiveness and their expertise is unparalleled. I have and continue to recommend them.
>
> **~ Jane S., PM Color Maintenance**

**Results may vary depending on your particular facts and legal circumstances.*



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Environmental regulations have an impact on all aspects of property ownership and development.

New Jersey is considered one of the most demanding jurisdictions in environmental regulatory controls. Brach Eichler's Environmental and Land Use Practice advises clients on all aspects of environmental law, assisting companies across a wide range of industries with challenging environmental, land use, and natural resource concerns as well as in civil and criminal prosecution. Our attorneys have experience in virtually all aspects of environmental practice, including all transactional and litigation services, so we can help our clients navigate federal, state and local regulations and resolve disputes, in order to allow them to pursue their business objectives. We help assess and then minimize environmental risks in acquiring properties, maintaining operations, and also provide solutions for cost-effective site remediation.

Environmental Compliance Site Remediation

Environmental regulations are constantly changing. At Brach Eichler, we counsel our clients to be proactive in managing environmental issues as part of their business strategies. This includes:

- Advising clients on state and federal environmental laws and regulations
- Addressing day-to-day business decisions to resolve environmental concerns and improve operations
- Assisting clients with environmental permitting; project development, natural resources issues, and air pollution control; solid and hazardous waste, minimization, handling and disposal; vapor intrusion; and water issues
- Serving as common counsel to national Superfund trusts that successfully resolve lawsuits and identify responsible parties
- Facilitating clients' compliance with directives and administrative consent, working closely with the United States Environmental Protection Agency
- Overseeing environmental consultants and engineers in the conduct of remedial activities and interaction with the public
- Counseling on compliance with site remediation requirements under CERCLA, NJ Spill Act, ISRA, and other regulatory programs
- Representing parties seeking to purchase property and conducting environmental due diligence
- Counseling on Underground Storage Tank (UST) compliance and closure programs

Litigation, Civil, and Criminal Enforcement and Toxic Tort Law

Our attorneys have trial and appellate experience in state and federal courts, and before administrative agencies, including:

- Representing clients in civil and administrative enforcement actions, as well as private lawsuits
- Representing clients in administrative appeals
- Litigating suits involving current and former owners, tenants, and operators over cleanup responsibility, cost recovery, contribution, and related costs and damages
- Negotiating with state environmental agencies and the United States Environmental Protection Agency to lower penalties and resolve enforcement actions involving environmental compliance issues for air, water, stormwater, hazardous and solid waste, and spill prevention
- Defending potentially responsible parties in government cost recovery and liability actions
- Representing defendants in major complex toxic tort litigation involving numerous plaintiffs and defendants

Due Diligence

- Assisting individuals, developers, and large corporations with environmental issues involved in real estate transactions
- Working with real estate counsel to draft environmental provisions benefiting clients in purchase and sale agreements and other loan documents and overcoming lender hesitancy and reservation where environmentally challenged properties serve as loan collateral
- Advising clients on the selection, retention, and supervision of environmental consultants and engineers
- Identifying issues and finding solutions to avoid future environmental problems associated with transactions

Land Development, Planning and Zoning

Our land use attorneys represent owners and developers of real estate in all phases of the approval and entitlement process, including securing zoning changes; obtaining site plan, subdivision, and variance approvals; and resolving land use, code, and regulatory compliance issues. We also provide counsel on affordable housing and land preservation matters.

Awards



NJBIZ® Best Places to Work list*

2024, 2025



NJBIZ® Top 40 Law Firms list*

2024, 2025



Best Law Firm® in New Jersey Litigation - Environmental by Best Lawyers list*

2019-2025



Best Law Firm® in New Jersey Litigation - Land Use & Zoning by Best Lawyers list*

2019-2025



Best Law Firm® in New Jersey Environmental Law by Best Lawyers list*

2019-2025



Recognized by Best Lawyers list*

2003-2025



New Jersey Legal Awards Law Firm of the Year list*

2022

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey. Click here for the Awards and Honors Methodology.

Representative Experience

*Results may vary depending on your particular facts and legal circumstances.

- Defending the property owner and property manager of buildings surrounding Ground Zero arising from the World Trade Center terrorist attacks
- Serving as common counsel for PRP Groups at Superfund sites in Fairfield, NJ and Puerto Rico
- Defending the property owner of a former school against vapor intrusion toxic tort claim
- Litigating to establish the liability of a prior site operator that had contaminated a client's property over 40 years earlier
- Handling EPA enforcement action for UST compliance issues
- Handling negotiations to resolve a Title V Air Permitting enforcement action against an oil company
- Defending a former tenant, which historically conducted manufacturing operations at the landlord's property, to defeat the former landlord's efforts to secure an NJDEP re-opener of a No Further Action determination in order to assert New Jersey Spill Act claims

Our Environmental and Land Use Team

Members

- Frances B. Stella
- Riza I. Dagli
- Eric Magnelli
- Kenneth A. Porro
- Susan R. Rubright

Counsel

- Lindsay P. Cambron

Insights

Blogs - *February 19, 2026*
NJDEP Releases Updated Instructions and Forms for RAPs

Blogs - *January 6, 2026*
NJDEP Releases Updated LSRP Supplemental Certification for Initial GW RAP Application for MNA

Awards - *November 6, 2025*
Brach Eichler LLC Ranked by Best Law Firms® in 2026

B|E in the News - *October 24, 2025*
Brach Eichler Named Law Firm of the Year Finalist – NJ Law Journal

Events - *September 18, 2025*
Ken Porro to Speak at NJSBA Mid-Year Meeting in Sorrento, Italy

Awards - *August 21, 2025*
57 Total Brach Eichler Attorneys Recognized by Best Lawyers in America© 2026

Awards - *July 10, 2025*
Brach Eichler Named to NJBIZ's 2025 Best Places to Work List

B|E in the News - *March 21, 2025*
On the Move and After Hours: Genova Burns; Capehart Scatchard; Brach Eichler; Carlton Fields

B|E in the News - *March 20, 2025*
Veteran real estate, land use lawyer Porro joins Brach Eichler as member

Awards - *March 20, 2025*
34 Attorneys from Brach Eichler Recognized for Inclusion in the 2025 "New Jersey Super Lawyers" list by Super Lawyers