



Compliance and Permitting

Constructing a building? Paving a parking lot? Starting a new business? Cutting trees? Drilling a well? Allowing rain to fall on your equipment? Planning construction at a Jersey shore town? Like it or not, you may need an environmental permit.

New Jersey and the federal programs impose a daunting catalogue of statutory and regulatory requirements for permits and approvals. The following list is a glimpse into the types of matters regulated under environmental law: air emissions; water discharges; stormwater management; flood hazard areas; generating, transporting and disposing of waste; freshwater wetlands; coastal areas; tidelands; sewer connections; water use; historic resources; threatened and endangered species; storage of chemicals; recycling; noise; and, dams.

Not all environmental permits are difficult to obtain, but some are, and the process can be complicated, cumbersome, subject to the interpretation of the regulators, and become a target for private objectors and organized public opposition. Legal representation is crucial to overcome the obstacles of the permitting process and to be prepared for challenges to and appeals of permits that have been issued and permits that have been denied. Our team has experience with these regulatory permitting issues and have assisted our clients in obtaining permits when appropriate and avoiding permits when appropriate.

Enforcement happens. Best intentions are often not enough to satisfy the requirements of environmental laws. Our clients may find themselves facing notices of violations or other enforcement actions for alleged non-compliance. These actions often involve threats of penalties and demands for corrective action.

We have represented clients in myriad enforcement matters before NJDEP, USEPA, and other regulatory agencies, and have taken these matters through the administrative processes and dispute resolution. Throughout the enforcement process, we work with our clients' business and legal teams to identify goals and objectives, and we draw on our experience and relationships with the government officials with whom we interact regularly to structure settlements when appropriate.