

## Environmental Compliance & EHS

Robust environmental compliance and effective Environmental, Health, and Safety (EHS) strategy are vitally important components of business operations and risk management. Failure to comply with federal, state, and local EHS laws can lead to significant fines, costly litigation, reputational damage, and even criminal penalties. Greenbaum assists clients in developing proactive strategies for addressing compliance issues and provides support in responding to government inspections and enforcement actions, including representation at administrative agency hearings.

We advise manufacturers and business owners on all aspects of regulatory compliance with the federal and state Clean Air and Clean Water Acts and the management of solid and hazardous waste under the federal Resource Conservation and Recovery Act (RCRA) and New Jersey's solid and hazardous waste laws, as well as the Emergency Planning and Community Right-to-Know Act (EPCRA) and New Jersey's Air Pollution Control Act, Water Pollution Control Act, Spill Compensation and Control Act (Spill Act), and the Industrial Site Recovery Act (ISRA).

We work with small businesses and major corporations to develop environmental compliance and auditing programs, and in developing and implementing robust EHS management systems, ensuring that EHS policies are in accordance with state and federal regulations. We provide legal oversight throughout all stages of the compliance audit process, from determining the scope of the audit through the resolution of issues uncovered by the audit, with the ultimate goal of minimizing liabilities, avoiding enforcement actions and enhancing the client's business operations. We also perform environmental due diligence in transactional settings to assess EHS risks associated with mergers, acquisitions, and real estate transfers.

Our work encompasses approvals, modifications and renewals of federal and state water pollution control permits (industrial waste water pre-treatment, NPDES); permitting and compliance associated with federal and state air pollution requirements, including Prevention of Significant Deterioration (PSD), National Emissions Standards for Hazardous Air Pollutants (NESHAPs), and Title V permitting; management of regulatory requirements for the handling, transportation, recycling and disposal of solid and hazardous waste; DOT and FAA hazardous waste transportation requirements; reporting and permitting requirements related to the operation and closure of underground storage tanks; regulation of polychlorinated biphenyls (PCBs) and other chemicals

under the federal Toxic Substances Control Act (TSCA); and Occupational Safety and Health (OSHA) and right-to-know requirements. We provide guidance on compliance with OSHA standards and other workplace safety laws and have assisted with workplace safety audits and the development of safety programs.

New Jersey's landmark Environmental Justice Law requires the NJDEP to evaluate the environmental and public health impacts of certain facilities on overburdened communities when reviewing certain applications. We counsel clients on the law's implications for new or expanding facilities and assist them in navigating the requirements for environmental justice impact statements, community engagement, and permit conditions.

## Practice Team

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