

## Environmental, Toxic and Mass Tort Litigation

### Environmental Lawyers Protecting Insurance Companies Throughout the US

Kaufman Dolowich represents insurance companies nationwide in environmental, toxic and mass tort litigation. Our highly responsive team takes immediate action to review coverage and, if called for, mitigate damages by proactively managing cleanup efforts in emergency contamination accidents. We also handle Superfund and other long-term pollution cases to help clients redevelop previously toxic land. Our environmental lawyers work diligently to meet our clients' needs by delivering written coverage opinions and coverage position letters regarding a variety of environmental issues, which include: first and third-party asbestos, silica, toxic mold, welding rod fumes, chemical exposure and other toxins that damage health and property. We understand that swift resolution is essential and aggressively pursue favorable resolution of claims.

### First Party and Third Party Claims for Property Damage

Kaufman Dolowich's environmental lawyers represent insurance companies in first and third party property damage claims involving chemical spills, transportation accidents and contaminated properties. Our attorneys handle coverage or liability issues involving damages to property, costs of cleanup, emergency response and business losses directly associated with the environmental disaster. We also advise insurance companies on claims filed by third parties that sustained property damages related to the contamination.

### Product Liability

A company may be held liable for damages caused by a product released into commerce. Our attorneys diligently investigate the product's path from manufacturing to the consumer to determine whether another source may be responsible for the defect or contamination of the product. We also consider improper product use and other contributing factors to the accident to minimize corporate liability and our client's liability as the corporation's insurer.

### Regulatory and Compliance Matters Handled by Our Environmental Lawyers

Kaufman Dolowich regularly represents insurance companies in regulatory compliance matters. Our environmental lawyers guide clients through the complex web of federal, state and local regulatory rules involved in property contamination and cleanup. We unravel complex layers of liability that often involve years of contamination by multiple occupants of the property or involve multiple jurisdictions when contamination covers a large area.

### Corporate Environmental Compliance Programs

Laws are constantly in flux and often the rules of one jurisdiction conflict with another. So how do corporations remain in compliance with regulations imposed by multiple federal agencies and numerous affected states and municipalities? Our lawyers assist clients in establishing a comprehensive, clear environmental compliance program. We conduct compliance reviews and advise our clients on the steps to coming into compliance. We also help prepare our clients for regulatory inspections by government agencies and auditors, and we assist insurance companies in building a defense against regulatory violations and liability claims.

### Superfund Sites

The Environmental Protection Agency (EPA) oversees the Superfund program, which involves the cleanup of contamination so property can be developed and revitalized. The Superfund designation comes with complicated EPA regulations. Nothing can be done on the site without EPA approval. The encumbrance of bureaucratic red tape can unnecessarily delay the start of a project, and violations of EPA regulations can result in a cease work order, fines and other consequences. Our attorneys advise clients on regulatory compliance at each step of a Superfund cleanup project. We work diligently to protect our clients from delays and violations associated with EPA regulations.

Further complicating the liability for Superfund cleanup is that often many different companies occupy the site over a period of time. The period of contamination may extend back for generations or a full century, with each business dumping different chemicals on the property. Each chemical must be identified and assessed to determine its potential for harm, the manner of disposal and the liable party. Many local, state and federal laws come into play in each stage of the process. Our attorneys are knowledgeable about the interplay of these laws and resolution of conflicts in law.

## Chemical Spills

Contamination tends to spread into numerous jurisdictions that impose their own laws and penalties. A chemical spill on a body of water, for example, usually flows into neighboring areas and is subject to navigation laws in each jurisdiction. Transportation companies also might be accountable in the multiple jurisdictions in which the toxic materials travel, and are also subject to the Federal Motor Carriers Safety Administration (FMCSA) rules.

Expediency is of utmost importance when cleaning up a spill. Our environmental lawyers act quickly to guide clients on applicable regulations in relevant jurisdictions. Our office locations throughout the United States enable us to be on the scene and in the courts quickly wherever needed.

## Soil, Water, Air Contamination

Kaufman Dolowich handles complex soil, water and air contamination liability cases throughout the country. Our environmental lawyers have substantial experience with contamination coverage and clean up liability. We assist insurance companies with matters related to accidents that cause emergency hazards and matters associated with soil, water and air pollution that has existed on the property for years. Our responsive legal team helps overcome regulatory hurdles that may delay cleanup and increase the company's exposure to liability.

Time is of the essence in resolving contamination cases. The longer the pollution lingers, the more damage the environment and the clients' business may suffer. Our lawyers share our clients' sense of urgency and act decisively to reach a successful resolution.

## Environmental Lawyers Assisting with Your Emergency Response to Accidents Involving Toxins

We recognize the urgency in investigation, clean up, liability determination and, when appropriate, settlement of claims. Kaufman Dolowich has offices located throughout the United States so we can be on the scene immediately to investigate the accident, spill, leak, explosion, fire or other cause of contamination. Privatized emergency responders begin cleanup immediately to minimize damage. Public relations professionals address the public and explain the steps being taken to protect the health of the environment and people. Our lawyers meanwhile take quick legal action to expedite cleanup and protect our clients' interests.

## Cleanup of Superfund Sites

The Environmental Protection Agency (EPA) Superfund program cleans up dangerously contaminated sites to revitalize and repurpose the land. Superfund site cleanup is a complex process of peeling back layers of pollution and determining who is liable in each instance. The property may have been used for a variety of purposes in the past, each contributing different toxins to the site. The level and types of contamination are often only determinable upon extensive testing and the source only traceable through meticulous research. Some corporations may be long gone, having occupied the land decades ago.

Our environmental lawyers have the technical and legal knowledge to defend insurance companies against liability claims in complex Superfund cases. We diligently compile evidence to demonstrate the true source of contamination and to limit liability when other parties may be responsible for the pollutants. We are ultimately able to facilitate remediation of the damages based upon percentage of liability of the many parties involved.

## Third-Party Claims for Bodily Injury

Our law firm defends against third-party claims for bodily injuries caused by product liability and premises liability cases. We have substantial experience in class action and multidistrict litigation defenses that are typical in environmental torts and product liability claims.

## Contact an Environmental Lawyer Today for Help

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Whatever claim or potential legal action you are facing, contact the qualified and acclaimed environmental lawyers at Kaufman Dolowich.

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