



TODD W. TERHUNE

PARTNER

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BIOGRAPHY

Todd Terhune is an experienced environmental attorney with particular emphasis on environmental due diligence, ISRA compliance, water and wetlands, worker health and safety, environmental insurance, site remediation, environmental permitting, environmental cost recovery, and other environmental regulatory compliance issues that arise in connection with real estate and business transactions, or as a result of regulatory action.

Todd's practice encompasses a wide range of environmental issues in transactional, regulatory compliance and enforcement matters and he routinely engages with and appears before the New Jersey Department of Environmental Protection (NJDEP) and the United States Environmental Protection Agency (USEPA). He is a Partner and Chair of Scarinci Hollenbeck's Brownfield & Infrastructure Group. He is also a member of the Firm's Environmental and Land Use, Environmental Remediation Management and Commercial Real Estate Groups.

While Todd's practice is based in New Jersey, he has also advised clients with projects located throughout North America, Europe, Australia and Asia.

With more than two decades of practicing exclusively in the environmental field -- initially as a licensed Professional Engineer and currently as an attorney -- Todd brings a practical, business-oriented approach to solving environmental problems faced by industry and commercial and industrial real estate developers and owners.

Prior to becoming an attorney, Todd was an environmental engineering consultant and focused on environmental due diligence, soil and groundwater contamination assessment, environmental permitting, and landfill gas assessment and control. Todd's technical background has proven to be an invaluable value-added asset when negotiating technically-driven legal issues with environmental consultants, LSRP's, regulators and adversaries. During law school, Todd served as a law clerk to the USEPA.

REPRESENTATIVE MATTERS

Brownfield Transactions

- the acquisition, remediation and sale of a 130-acre former chemical manufacturing facility in Burlington Township, N.J.
- the acquisition and remediation of a 400-acre former munitions manufacturing facility in Cranbury, N.J.
- the acquisition and remediation of a 30-acre industrial property in Elizabeth, N.J.
- the acquisition, remediation and sale of a former chemical manufacturing facility in Woodbridge, N.J.
- the acquisition, remediation and sale of a former industrial facility in New Brunswick, N.J.
- the acquisition and remediation of former industrial facilities covering four city blocks in Hoboken, N.J.
- the acquisition of a contaminated property for development of a data center in Somerset, N.J.
- the acquisition of a contaminated property for development of a long-term care facility in Washington Township, N.J.
- the sale of 80 fast food franchise stores, many of which were previously occupied by gas station or dry cleaner operations
- the acquisition of a contaminated property for development of an entertainment and retail complex in the New Jersey Meadowlands.
- the sale of an office building in North Bergen, N.J. built on contaminated historic fill in a former marshland
- the acquisition and remediation of a 25-acre parcel in Kearny, N.J.
- the acquisition and remediation of a 10-acre parcel in Newark, N.J.
- the acquisition and remediation of a 20-acre parcel in Elizabeth, N.J.
- the acquisition and remediation of a 5-acre parcel in Elizabeth, N.J.
- the acquisition and remediation of a 100-acre parcel in Perth Amboy, N.J.

IRSA Compliance

- the sale and remediation of a waste-to-energy facility in Camden, N.J.
- the sale of a battery manufacturing facility in North Brunswick, N.J.
- the cessation of operations of a cosmetics manufacturer in Dayton, N.J.

- the sale of an electrical component manufacturing facility in Rockaway, N.J.
- the sale of a printing facility in Clifton, N.J.
- the cessation of operations and sale of an oil terminal property in Perth Amboy, N.J.
- the cessation of operations and sale of a metal fabrication facility in Bogota, N.J.
- the sale of a pharmaceutical manufacturing facility in West Orange, N.J.
- the purchase/leaseback of an exhibit manufacturing business in Burlington, N.J.
- the purchase/leaseback of a metals manufacturing business in Sayreville, N.J.
- the purchase/leaseback of a tooling and machine company in Fairfield, N.J.
- the purchase/leaseback of a metal shed manufacturing business in Haskell, N.J.
- the remediation of a cable manufacturing business in Passaic, N.J.
- the sale and remediation of a concrete block manufacturing business in Pedricktown, N.J.

Regulatory Enforcement

- the negotiation and settlement of an air permit Notice of Violation for a battery manufacturer in New Brunswick, N.J.
- the negotiation and settlement of multiple wastewater and air emission violations for a candy manufacturer in Somerset, N.J.
- the negotiation and settlement of multiple wetland violations in Moorestown, N.J.
- the settlement of a discharge of contaminants into a surface water body in Passaic County, N.J.
- the negotiation and settlement of a dispute with the IRS for alleged improper treatment of the valuation of contaminated property

Environmental Permitting

- environmental permitting and land use issues for an educational facility in Princeton, N.J.
- environmental permitting and land use issues for a warehouse development in Newark, N.J.
- environmental permitting and land use issues for a warehouse development in Kearny, N.J.
- environmental permitting for process wastewater and air emissions for a candy manufacturer in Somerset, N.J.
- environmental permitting for process wastewater and air emissions for a sign manufacturer in Passaic, N.J.

Environmental Cost Recovery & Litigation

- Insurance cost recovery litigation for a shopping center in Jersey City, N.J.
- Representation of health care company in various Superfund sites
- Cost recovery against chemical manufacturer with respect to landfill operations at facility in Middlesex, N.J.
- Cost recovery against industrial manufacturer with respect to migration of contamination onto facility in Middlesex, N.J.

Education

- Widener University Law School (J.D., 2000)
- Widener University (B.S., 1989)

Bar Admissions

- New Jersey
- U.S. District Court, District of New Jersey

Memberships and Affiliations

- National Association of Industrial & Office Properties (Regulatory Affairs Committee)
- National Brownfields Association
- New Jersey State Bar Association (ISRA and Environmental Committee Member)