



THEODORE A. SCHWARTZ

PARTNER

ENVIRONMENTAL & LAND USE LAW
ENVIRONMENTAL REMEDIATION MANAGEMENT
RENEWABLE ENERGY & GREEN INITIATIVES

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BIOGRAPHY

Ted Schwartz represents numerous private sector companies in the planning, development, remediation, brownfield redevelopment, regulatory, and litigation aspects of environmental matters. He regularly counsels his clients on the impact that environmental regulations will have on their operations and has a strong track record of finding effective solutions for the challenging regulatory issues they face. He assists his clients in achieving and maintaining compliance with Federal and State laws and environmental programs, mindful of new regulations that may impact their businesses down the road. Throughout his career, his representation has included advising and assisting businesses in obtaining environmental and development project entitlements from regulatory authorities. He also regularly works with lenders, investors and buyers to minimize or avoid liability for contaminated real estate.

Mr. Schwartz is widely recognized as one of New Jersey's pioneers in the practice of environmental law. From 1965 to 1970, he was Deputy Attorney General for the State of New Jersey, where he acted as Chief of the Attorney General's Task Force on Pollution. His responsibilities centered upon the enforcement of the State's pollution control laws through administrative and civil proceedings. His creative approach to environmental enforcement matters earned him a national reputation among his peers. Together with a colleague, he spearheaded the creation of the New Jersey Department of Environmental Protection, and had a hand in the development of the New York State Department of Environmental Conservation. He also authored numerous environmental laws and regulations, including the New Jersey Air Pollution Control Act, which became a national model for environmental regulatory programs in all areas of the environment.

On the national level, he was a legal advisor to numerous State and Federal agencies concerning environmental regulatory matters. In recognition of his environmental credentials, President Carter appointed him as a Commissioner to the National Alcohol Fuels Commission, where his role was to analyze the development of alternative fuel sources.

Mr. Schwartz is frequently called upon as legal consultant and advisor to various government officials, and has often been a guest lecturer at environmental programs sponsored by various public and private organizations associated with environmental matters.

REPRESENTATIVE MATTERS

- Represented a governmental entity in litigation to establish a strict liability doctrine for remediation of chromium contaminated sites.
- Represents numerous public companies and private sector clients in development of residential, commercial, and industrial properties regarding regulatory and environmental permitting compliance requirements.
- Represents industrial warehouse developers in projects regarding redevelopment of brownfield areas port support facilities and environmental remediation of these sites, which are to date in excess of 10 million square feet.
- Represented two Fortune 500 companies in obtaining regulatory and environmental permitting for the development and construction of a 5 million square foot multi-use complex at the New Jersey Sports Exposition Authority facility.
- Represents one of the largest dredging companies regarding dredging and mining activities in the New York Harbor area for revitalization of the Port Area.
- Represented numerous governmental and private entities to successfully obtain regulatory approvals for the development of water supply systems and wastewater treatment projects.
- Represented the largest national solid waste management company to successfully obtain regulatory approvals for development of solid waste management facilities.
- Provided successful defense against government regulatory actions involving many solid waste facilities in the New Jersey/New York/Pennsylvania area.
- Represented numerous private entities regarding claims by federal and state governments in cost recovery actions, both judicial and administrative, under CERCLA and state hazardous waste discharge programs.
- Represented one of the largest privately held solid waste companies in the country, successfully arguing before the IRS the deductibility of certain long-term environmental costs.
- Represented a major city in the State of New Jersey challenging the imposition by the State of solid waste management fees, saving the city in excess of \$6 million.

- Represented the largest county government in New Jersey before the FAA and other government agencies regarding the planning and redevelopment of a major airport.
- Represented many governmental entities in New Jersey as special counsel in numerous environmental and regulatory matters.

EDUCATION

- St. John's University (JD, 1964)
- Seton Hall University (BA, 1961)

BAR ADMISSIONS

- New Jersey
- U.S. District Court, District of New Jersey
- United States Supreme Court

AFFILIATIONS

- American Bar Association
- New Jersey State Bar Association (Emeritus Member;

Chair, Conservation & Ecology Committee 1974 - 1977)

- Essex County Bar Association (Past Chair and Vice-Chair of the Environmental Committee)

PUBLICATIONS

- Toxic Real Estate: Legal Aspects: Protection Yourself in the Deal - Hazmat International Hazardous Waste Materials Management Conference, June 1991
- New Jersey Dollars for New Jersey Solutions - New Jersey Law Journal, June 1991
- New Jersey's Air Pollution Enforcement Program - New Journal, May 1972
- Enforcement Techniques to Control Emissions Where Numeric Standards Have Not Been Established - American Institute of Chemical Engineers, Symposium Series, Vol. 68, 1972