

Environmental - Transactions

Addressing environmental liabilities & related business risks



Whether you are seeking to

- ask the right questions to identify environmental permitting, non-compliance, and liability issues and understand associated risks
- anticipate environmental issues before you decide on the deal
- make the deal work even when environmental issues exist
- find creative solutions to address contaminated property and negotiate Brownfield Agreements
- analyze necessary environmental and land use permits and authorizations

our team is here to help protect your company in the sale, acquisition, lease, investment, or development of real estate, facilities, and businesses.

Environmental advice for a range of transaction types

Our clients include buyers, sellers, landlords, tenants, developers, venture capital groups, and other investors and lenders involved in

- Asset transfers or sales
- Leases
- Liquidations, bankruptcies, foreclosures
- Mergers and acquisitions
- Other business transactions

Interdisciplinary team

- Experienced attorneys well-versed in liability concerns and defenses relating to federal and many state environmental statutes and regulatory programs
- Attorneys who have held state and/or organizational leadership roles, including for state-level conservation agency, city-metro chamber of commerce, and state-level world trade center
- Leaders in environmental committees for state and federal legal organizations

Related Practice Areas

[Bankruptcy & Insolvency Related Litigation](#)

[Bankruptcy, Creditors' Rights & Restructuring](#)

[Class Action & Multi-Claim Litigation](#)

[Commercial Leasing](#)

[Construction and Construction Transactions](#)

[Corporate & Securities](#)

[Energy](#)

[Environmental Compliance & Permitting](#)

[Environmental Enforcement & Litigation](#)

[Environmental, Health & Safety](#)

[General Counsel Services](#)

[Government Relations Strategies](#)

[Hospitality, Tourism & Leisure](#)

[Litigation](#)

[Mergers & Acquisitions](#)

[Timber & Forest](#)

[Toxic Torts/Asbestos](#)

[White Collar Defense & Government Investigations](#)

Related Industries

- Adjunct professor of environmental law
- Attorneys recognized by Best Lawyers in America® for Environmental Law (see the individual lawyer bios in this practice for specific recognitions)

Our clients' interests have involved a wide range of industries

Our clients' transactions have included a wide variety of industries, including

- Agriculture and forestry
- Automotive parts suppliers
- Biomass and other alternative energy producers
- Boiler and heating products manufacturing
- Boilers and industrial furnaces
- Chemical and specialty chemical manufacturers, processors, and suppliers
- Computer and electronics recycling
- Construction
- Food packaging
- Food production
- Former military facilities
- Furniture manufacturers
- Gasoline stations
- Hazardous waste companies
- Heavy metals processing and coating
- Landfills and other solid waste facilities
- Lumber
- Mines
- National retailer to consumers
- Petroleum and natural gas production, transportation, and storage
- Plastics, chemicals, and allied products
- Printers
- Pulp and paper
- Residential and commercial real estate, including development
- Scrap metal recyclers
- Small appliance manufacturers
- Steel works and foundries
- Textiles
- Trucking and transportation

Bringing clients practical perspectives and business oriented solutions

Construction and
Construction
Transactions

Consumer Products &
Retail

Manufacturing

Real Estate

Nelson Mullins' environmental transactions attorney team members participate in state, regional, and national legal organizations that focus on protecting against environmental risks in business transactions. With attorneys on our team who frequently present programs, write articles, and meet with others in the field across the country, clients receive trusted counsel from an attorney team with deep industry experience and broad perspectives.

We work to help your deal succeed and to meet your business goals

- **Coordinate with environmental consultants**
- **Review Environmental Site Assessments, remediation plans, and related reports**
- **Consider subtleties of changes in standards for environmental site assessments** and courts' interpretation of those standards to support defense to CERCLA liability and similar liability under state and local laws
- **Focus on your transaction** and understand the goals of other parties
- **Analyze issues and obtain business-oriented solutions** and recommendations
- **Provide understanding of federal and state environmental requirements** that can affect your pre- and post-closure interests
- **Negotiate with federal and state agencies** on permits, reporting, and clean-ups
- **Preconstruction permitting** before acquisition (wetlands, storm water, zoning, ESA take permits, among others) and permit transfers
- **Draft environmental indemnities and other provisions in the transaction documents** to reduce your company's environmental risks
- **Evaluate voluntary disclosure options and benefits** and advise on implementing disclosure decisions
- **Negotiate Brownfield Agreements**
- **Navigate coastal zone construction and development** and wetlands mitigation matters

Why Nelson Mullins?

Significant experience in environmental aspects of transactions

- In-depth knowledge of environmental compliance and permitting
- Forward-thinking advice, including future environmental requirements and impact upon operations
- Access to a wide network of environmental consultants and experts
- Solution-driven analysis and recommendations

Our versatile team of attorneys experienced in transactions and litigation at trial and appellate levels enables us to develop trial strategies and coordinate expert testimony and evidence should the need arise.

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- Handled Brownfield remediation projects in dozens of states
- Negotiated environmental liability allocation for multi-state packaging company
- Negotiated closing issues with sale of multi-state specialty chemical company
- Advised on environmental impacts for separation of complex business into separately owned units at single industrial park