

Project Name

Recycling Site, Newark, New Jersey

Client

Mudge, Rose, Alexander, Guthrie & Ferdon for the Cigna/Cal Union Insurance Company

Services Provided

- Performed Site Investigation Following a Fire Which Burned Route 78 in 1989
- Used Data from Site Investigation to Support Defense in Legal Case That a Pollution Exclusion Clause Applied
- Provided Expert Testimony and Assistance in Deposition and Court Which Assisted the Defense in Winning the Case

Project Description

SAI was retained to perform a site investigation and provide expert testimony and assistance at a Recycling Facility in Newark, New Jersey. The site was allegedly used as a recycling operation which was shown to be stockpiling solid waste.

Approach

Data from the site investigation was used to assist the defense in showing that the site was in fact contaminated and a pollution exclusion clause alleged by the State to be invalid was in fact shown to be valid.

SAI assisted counsel in arguing the facility was not used in the capacity of a recycling facility but as an “open dump” according to New Jersey regulation. SAI’s involvement assisted the defense in winning in court against a \$15 million potential judgement by the State of New Jersey.

