Foster Garvey

Environmental Litigation

Tenacious litigators and skilled negotiators: *we resolve your toughest environmental challenges*.

Our team delivers winning results for clients facing a wide range of environmental disputes. From defending against agency and citizen suit enforcement actions to resolving cost recovery claims at contaminated sites, our team is known for its practical, client-centered approach. Recognized among the top environmental litigation practices in Washington state by Chambers USA and Best Law Firms USA, we pride ourselves on helping clients navigate complex environmental issues effectively and efficiently.

Our attorneys have successfully defended Clean Water Act, Clean Air Act, Safe Drinking Water Act, RCRA, CERCLA, MTCA and ESA cases across the Pacific Northwest and resolved claims ranging from nuisance and trespass to toxic torts.

Representative Experience

- Representation of trade and business associations in federal court litigation involving Clean Water Act human health water quality criteria for the State of Washington managing labor relations challenges.
- Successful defense or settlement of numerous agency and citizen suits in federal courts throughout the Pacific Northwest for alleged violations of the Clean Water Act, Clean Air Act, RCRA, nuisance and trespass.
- Successful representation of clients in appeals of the Phase I Municipal Stormwater General Permit and before the Washington Court of Appeals.
- Successful representation of clients in appeal of the Phase II Municipal Stormwater General Permit.
- Successful representation of Northwest Dairy Association in appeal of the CAFO General Permit and before the Washington Court of Appeals.
- Successful representation of client in an appeal of the Puget Sound Nutrient General Permit
- Successful representation of Washington Aggregate and Concrete Association in appeal of the Industrial Stormwater General Permit.
- Successful defense of air agency's notice of construction approval process at Superior Court and Washington Court of Appeals.
- Defense of nuisance, trespass, strict liability, negligence and wrongful occupation suit brought against oil company.
- Successful representation of association in modification of Boatyard General Permit.
- Representation of clients in appeals of the Industrial Stormwater General Permit before the Pollution Control Hearings Board, superior court, Washington Court of Appeals and Supreme Court.

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- Successful defense of large port in federal court Clean Water Act citizen lawsuit challenging compliance with the Industrial Stormwater General Permit.
- Recovery of cleanup costs from responsible parties at CERCLA Superfund and MTCA sites, as well as voluntary cleanup sites and successful defense of cost recovery actions.
- Defense of nuisance, trespass, negligence and inverse condemnation claims brought against large municipality by 26 property owners.
- Defense of criminal and administrative enforcement actions.
- Defense of toxic tort claims arising out of stormwater and combined sewer overflow (CSO) discharges.
- Representation of policyholders in multi-state insurance litigation over historic insurance policies, and many other claims and lawsuits against insurers to recover environmental cleanup costs.

Contact

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