

## **Joseph J. Hochreiter, Jr., CGWP Expert Services**

Serving as a technical expert for a major New Jersey development company in a cost-recovery litigation against an insurance company. Prepared an expert report in support of the environmental response and cleanup conducted by the developer's consultants and contractors at a construction site in New Jersey. Provided deposition testimony, with the case settling to the satisfaction of Mr. Hochreiter's client. SEC developed a post-remediation groundwater monitoring program to support an NFA determination from NJDEP.

Represents three separate industrial clients who have been identified by the Study Group of a major River-System NPL site as new potentially responsible parties. In each case, SEC researched the technical merits of claims made by the Study Group and developed the scientific analysis needed for these clients to evaluate the merits of their respective claims.

Served as a technical expert on a peer-review panel of the U.S. Army Environmental Center. In this role, evaluated remediation programs at several Army facilities throughout the U.S. Provided expert counsel on a variety of innovative remediation technologies including natural attenuation, chemical oxidation, reactive barrier walls, and soil stabilization.

For a state schools authority involved in cost-recovery litigation, prepared an expert report in support of the remedial actions undertaken to remove underground storage tanks and contaminated soil associated with prior retail gasoline operations conducted at a school construction site. NJ Superior Court Judge Ross Anzaldi admitted Mr. Hochreiter as an expert in hydrogeology and site remediation, where he provided trial testimony as an expert in this matter. A decision was rendered by the Judge that supported the claims of Mr. Hochreiter's client.

On behalf of a confidential insurance company client, worked with the law firm of Cozen and O'Connor to defend a cost-recovery action initiated by a Pennsylvania municipality regarding remediation of an NPL site (landfill). Recommended to counsel the testifying expert and directed the development of the technical strategy.

Representing a Pennsylvania-based petroleum distribution company that itself is represented by the law firm of Buchanan Ingersoll & Rooney, prepared a Certification to the PA Court of Common Pleas regarding professional standards and practices in the funding of underground storage tank work.

For a petroleum distribution company that is represented by the law firm of Segal McCambridge, evaluated a claim of environmental damage resulting from a petroleum release at a bulk storage and distribution facility in northern Indiana. Participated in a mediation of the dispute by a third-party mediator that resulted in a settlement, thus avoiding cost-recovery litigation.

On behalf of a brownfields redeveloper in Perth Amboy, NJ who filed a proof-of-claim in Bankruptcy Court against a former industrial operator, prepared an expert report intended to establish the scope and cost associated with the investigation and remediation of legacy contamination at the site. Through

## **Joseph J. Hochreiter, Jr., CGWP Expert Services**

mediation, a settlement was developed that was approved by the Court, which is intended to cover the anticipated remediation of the subject property.

Representing a major New Jersey development company, prepared a Certification to NJ Superior Court regarding proposed condemnation proceedings and associated environmental actions related to the construction of a bridge on the client's property.

For a New Jersey industry trade association represented by the law firm Flaster Greenberg, prepared an expert report that evaluated technical concerns associated with a State of New Jersey Executive Order and a NJDEP Administrative Order. These orders limited new water supply connections in three municipalities in southern New Jersey. Our analysis was evaluated by a federal court judge and led to a settlement between our client and the state which effectively nullified the orders.

Representing an environmental construction company that is itself represented by the law firm of Ernstrom & Drete, LLP, prepared an expert report in support of litigation against a former client of the construction company (a state environmental agency) and the agency's environmental consultant. The expert report evaluated the adequacy of site characterization work that was performed by the state and their consultant in support of a state-developed Remedial Action Plan, which the construction company was retained to implement. Disputes arose regarding payment for services rendered by the construction company. A settlement was accomplished during trial with the state agency. The case against the environmental consultant went to medication, where Mr. Hochreiter testified before a 3-Judge panel. A settlement was reached during the mediation.

For a confidential insurance company, assisting the client in qualifying the environmental response costs associated with the remediation of a southern New Jersey textile facility.

For a confidential steel company (defendant) represented by the law firm of Morgan, Lewis & Bockius, led a team of experts in a case where the site owner (plaintiff) sued a former tenant (defendant) in federal court for cost recovery related to a RI/FS and emergency removal undertaken by the plaintiff at a Pennsylvania plant. Prepared an expert report that documented significant nonconformance by plaintiff's consultant with the National Contingency Plan (NCP). Settlement was reached out of court wherein a shared funding agreement was reached to cover site closure activities. Provided oversight of plaintiff's remediation (including participation in negotiations with PADER and USEPA personnel overseeing the project) and assisted attorneys with qualifying plaintiff's expenditures. Participated in a mediation to resolve a dispute in the final allocation of costs.

Prepared an expert report and provided deposition testimony in support of litigation against a group of industrial companies (defendants) that were named by USEPA as potentially responsible parties at a Pennsylvania NPL site. The case was heard in the U.S. Eastern District. Testimony involved the classification and quantification of wastes generated by companies (plaintiffs) that have settled with the government regarding their alleged involvement with activities at the NPL site.

## **Joseph J. Hochreiter, Jr., CGWP Expert Services**

Representing a confidential insurance company, prepared an expert report for the NJ Superior Court that challenges the plaintiff's alleged past and projected future costs to remediate a Southern New Jersey brownfields site.

Completed a project involving the remediation of chlorinated solvents in groundwater at a manufacturing site in Landing, New Jersey. Working with the law firm of Friedman Siegelbaum, provided expert testimony in litigation that succeeded in recovering costs from third parties and participated in alternate dispute resolution (ADR) with the NJDEP to favorably resolve a NJPDES-permit dispute. Also supervised pilot testing of chemical oxidation technology as an alternative to the pump-and-treat remediation of groundwater (glacial till overlying the Byram Gneiss fractured bedrock aquifer). The project successfully concluded with the submission of a CEA/final remedy report, which established monitored natural attenuation as the final site remedy for groundwater.

For a confidential insurance company being represented by the law firm of Bateman, Coley, Yospin, Kunzman, Davis and Leherer, provided expert report and supporting deposition testimony on contaminant transport science in defense of a cost-recovery action initiated by a waste transporter involving an NPL site in the New Jersey Pinelands region. Case settled within 60 days following depositions.

On behalf of a state environmental agency, prepared an expert report and provided deposition testimony for a groundwater contamination case (former petroleum retail station) in support of cost-recovery claims for investigation and remediation.

For a state environmental agency, prepared an expert report and provided supporting testimony for a groundwater remediation case in support of cost recovery claims. Judge Fernandez-Vina (NJ Superior Court) accepted expert testimony at trial, resulting in a favorable decision for SEC's client regarding responsibility for the contamination.

For a confidential insurance company that was represented by the law firm of Cozen and O'Connor, provided technical support in defense of a cost-recovery action initiated by a transportation industry concern involving up to 40 potentially contaminated sites in the western U.S.

On behalf of a group of third-party defendants named by the government as potential PRPs in a major New Jersey landfill case, prepared an expert report that addressed the Coastal Plain chemistry and hydrogeology, past remedial response actions, and the proposed final remedial action for the site. This work was performed for Counsel at Fox Rothschild, LLP, and resulted in a settlement with the client group.

For a confidential insurance company that is represented by the law firm of Schwartz, Simon & Eddelstein, provided expert services (including deposition testimony) in defense of a cost-recovery action related to petroleum releases to soil/groundwater in a residential part of Northern New Jersey. This case reached a settlement.

## **Joseph J. Hochreiter, Jr., CGWP Expert Services**

Assisted a court-appointed arbitrator in the formation of an opinion regarding the probable cost to remediate a commercial property in New York City. The property had soil and groundwater contamination resulting from the on-site storage and usage of petroleum products.

For a confidential group of industrial and commercial companies, provided expert services in their ongoing attempt to mediate a settlement regarding contamination (PCBs) of an industrial building in central New Jersey.

On behalf of a confidential insurance company represented by Mintzer, Sarowitz, Zeris, Ledva, & Meyers, LLP, reviewing the facts surrounding the release of petroleum into groundwater and surface water in Hunterdon County, NJ. Assisting Counsel in the defense of the subsurface evaluator (consultant) who worked on a portion of the site.

For a confidential southeastern Pennsylvania industrial coatings company (plaintiff) represented by the law firm of Blank, Rome, Comisky and McCauley, served as a non-testifying expert in a cost-recovery action against the former owner of the business (defendant). An out-of-court settlement was reached whereby all regulatory response costs were recovered from the previous owner.

For a New Jersey business park owner, worked with the law firm of Fox Rothschild, LLP to prepare an expert certification for submission to Bankruptcy Court. SEC's client is seeking, from a former industrial owner/operator at the site who is currently undergoing reorganization, assurance that environmental Legacy issues will be remediated on the client's property. Mr. Hochreiter prepared a Certification for the Court that identified outstanding remediation issues that require resolution. SEC supported that Certification with a Site Investigation Report that is under review by the Court and the NJDEP.

For a confidential Fortune 100 client represented by the law firm of Morgan, Lewis & Bockius, provided forensic support in support of the defense of litigation involving contamination at an industrial site in Philadelphia.

Assisted a New Jersey water company, represented in litigation by the law firm of DiFrancesco, Bateman, et al. in response to litigation initiated by an industrial company that is undertaking remediation of a site in northern New Jersey. The case involved a claim of contribution to the remediation based on unauthorized activities that allegedly occurred on the adjacent water company property.

Assisted a confidential client as a non-testifying expert in reaching a pre-trial settlement in an environmental cost-recovery litigation at an electronic equipment manufacturing facility in New Jersey.