



# Todd W. Terhune

## Partner

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## Overview

Todd Terhune counsels industrial real estate developers and owners as well as heavy industry with matters involving environmental due diligence, ISRA compliance, water and wetlands, site remediation, environmental permitting, environmental cost recovery, and other environmental regulatory compliance issues related to real estate and business transactions, or as a result of regulatory action. He routinely engages with and appears before the New Jersey Department of Environmental Protection (NJDEP), the U.S. Environmental Protection Agency (EPA), U.S. Army Corps of Engineers, and other regulatory bodies where environmental compliance requirements are triggered as a result of a transaction or regulatory requirement.

With more than three decades of practicing exclusively in the environmental field, initially as a licensed professional engineer and currently as an attorney, Todd brings a practical, business-oriented approach to solving environmental problems faced by industry and industrial real estate developers and owners. Todd's technical background as an environmental engineering consultant prior to becoming an attorney has proven to be an invaluable asset when discussing and negotiating technically-driven legal issues with environmental consultants, LSRPs, regulators and adversaries.

## Experience

Represented client in the acquisition, remediation and sale of a 130-acre former chemical manufacturing facility in Burlington Township, NJ

Represented client in the acquisition and remediation of a 400-acre former munitions manufacturing facility in Cranbury, NJ

Represented client in the acquisition and remediation of a 30-acre industrial property in Elizabeth, NJ

Represented client in the acquisition, remediation and sale of a former chemical manufacturing facility in Woodbridge, NJ

Represented client in the acquisition, remediation and sale of a former industrial facility in New Brunswick, NJ

Represented client in the acquisition and remediation of former industrial facilities covering four city blocks in Hoboken, NJ

Represented client in the acquisition of a contaminated property for development of a data center in Somerset, NJ

## Practices & Industries

[Automotive](#)

[Commercial Real Estate](#)

[Corporate & Business Law](#)

[Environmental Law](#)

[Environmental Litigation & Enforcement](#)

[Environmental Permitting & Compliance](#)

[Environmental Transactions & Due Diligence](#)

[Infrastructure](#)

[Manufacturing & Transportation](#)

[Site Investigation & Remediation](#)

Represented client in the acquisition of a contaminated property for development of a long-term care facility in Washington Township, NJ

Represented client in the acquisition and redevelopment of a 200 acre contaminated property in Kearny, NJ

Represented client in the acquisition, remediation, and redevelopment of a 30 acre contaminated property in Belleville, NJ

Represented client in the remediation of a contaminated factory facility in Passaic, NJ

Represented client in the defense of liability in 5 Superfund matters in New Jersey

## Education and Credentials

### Education

Widener University, B.S., 1989

Widener University Law School, J.D., 2000

### Admissions

U.S. District Court, District of New Jersey

State of New Jersey

### Affiliations

National Association of Industrial and Office Properties, Regulatory Affairs Committee

National Brownfield Association

New Jersey State Bar Association, ISRA and Environmental Committee

## Recognition and Community

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome. See Awards Methodology.*

### Recognitions

Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Environmental Law, 2024-2025; Real Estate Law, 2024-2025

Recognized by the Boy Scouts of America with a Good Scout Award, 2023

Selected to the list of New Jersey *Super Lawyers* (Thomson Reuters), Environmental, Real Estate: Business, 2021-2022

AV Preeminent rated by Martindale-Hubbell (LexisNexis)

Chosen for inclusion in the *Chambers USA Legal Directory* (Chambers & Partners) of recognized practitioners for Environmental in New Jersey, 2018-2024

# Insights

Proposed NJDEP Rules Could Reshape New Jersey Real Estate Transactions

Day Pitney Alert, December 3, 2024

States Respond to EPA's New Drinking Water Standards for PFAS

August 22, 2024

US EPA Proposes to Designate Five New Chemicals as 'High-Priority Substances' Under TSCA

August 8, 2024

EPA PFAS Update: Two PFAS Designated as Hazardous Substances Under CERCLA

April 30, 2024

EPA PFAS Update: Final Drinking Water Standards and Revised PFAS Disposal Guidance

April 11, 2024

U.S. SEC Votes on Narrowed Climate Disclosure Rule – 10 States Immediately File Legal Challenges

March 8, 2024

U.S. EPA Releases Two Proposed Rules Regulating PFAS Under RCRA

February 16, 2024

Proposed Amendments to NJ Ground Water Quality Standards

January 5, 2024

California's Consequential GHG Emissions Reporting Law: The Climate Corporate Data Accountability Act

October 11, 2023

U.S. EPA Releases Final Rule for PFAS Reporting Under TSCA

October 6, 2023

Comment Period on Significant NEPA Revisions Ends on September 29

September 26, 2023

EPA, Army Corps Amend 'Waters of the United States' Rule Following Sackett v. EPA

September 11, 2023

New Interim NJDEP Soil Remediation Standards for GenX Chemicals

June 20, 2023

Supreme Court Curtails Federal Jurisdiction Over Wetlands Under Clean Water Act

June 7, 2023

NJ Highlands Council Announces New Policy Restricting Warehouse Developments

May 25, 2023

Reinstated Superfund Excise Tax—Safe Harbor Rule Protection to End Q3 2023

May 19, 2023

NJDEP Adopts Environmental Justice Rules

April 21, 2023

EPA Considers Expanding List of PFAS Chemicals Regulated Under CERCLA

April 17, 2023

EPA's Second Listening Session on a Proposed Enforcement Discretion and Settlement Policy for PFAS Raises Concerns

March 27, 2023

"The 72nd Annual Atlantic Builders Convention Conference & Expo," New Jersey Builders Association

March 29, 2023

"Real Estate Round Table," Day Pitney  
February 8, 2023

New Interim NJDEP Soil Remediation Standards for Per- and Polyfluoroalkyl Substances (PFAS)  
October 21, 2022

NJ Economic Development Authority to Offer \$300 Million in Tax Credits for Brownfields Redevelopment  
September 20, 2022

Tax Court Clarifies Exemption from Non-Residential Development Fee  
August 3, 2022

NJDEP Proposes New Rules Implementing New Jersey's Environmental Justice Law  
June 14, 2022

NJDEP Announces Emergency Rulemaking to Flood Hazard Area Control Act Rules  
June 1, 2022

## News

Chambers Recognizes Day Pitney with Elevated Rankings Across Practices and Attorneys  
June 6, 2024

Day Pitney Partner Todd Terhune Recognized by Boy Scouts of America  
June 27, 2023

Chambers USA 2023 Ranks 35 Day Pitney Attorneys and 13 Practices  
June 1, 2023

Day Pitney Real Estate and Environmental Team Represents Merck in Sale of Kenilworth Headquarters  
March 2, 2023

Chambers USA 2022 Ranks 34 Day Pitney Attorneys and 13 Practices  
June 1, 2022

Day Pitney's New Environmental Vice Chair on Role  
April 27, 2022

Day Pitney Welcomes New Environmental Partner Todd W. Terhune  
April 25, 2022

## In The Media

ESG Builds New Avenues in Environmental Law for Day Pitney  
Connecticut Law Tribune, July 20, 2023

Environmental Justice in Action  
EHS Daily Advisor, May 18, 2023

Property Plays: Merck, Fannie, Denver Airport  
Law360, March 5, 2023

New Partners Yearbook 2023, New Jersey Law Journal  
New Jersey Law Journal, March 2, 2023

On the Move & After Hours

New Jersey Law Journal, September 30, 2022

Day Pitney Adds Terhune as Partner, Vice Chair of Environmental Team

Real Estate NJ, April 26, 2022

Day Pitney Adds Environmental Group Vice Chair in NJ

Law360, April 25, 2022