

## Jay A. Jaffe

PARTNER / CO-CHAIR, ENVIRONMENTAL DEPARTMENT

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*I often use the word 'we' when I'm working with a client, as if I'm not an outsider, but instead someone who has a stake in the project and its success. In order to be truly effective, it's important to me to embrace that point of view and establish that relationship.*

Mr. Jaffe concentrates his practice in environmental transactional and administrative law. He represents developers, property and business owners, landlords and tenants, manufacturers and other clients on a broad range of environmental legal issues.

Mr. Jaffe assists clients in the evaluation, allocation and avoidance of liabilities under various federal and state environmental laws, including New Jersey's Industrial Site Recovery Act (ISRA) and Spill Compensation and Control Act, the federal CERCLA statute, Underground Storage Tanks (UST) regulations, and the requirements of New Jersey's Site Remediation Reform Act and its Licensed Site Remediation Professional (LSRP) program. He provides comprehensive counsel on compliance obligations and risk management options.

Mr. Jaffe is highly knowledgeable regarding issues associated with the acquisition, cleanup and redevelopment of contaminated properties and brownfield sites. This includes the negotiation of environmental provisions in contracts, leases and loan documents. He has extensive experience in overseeing and coordinating environmental due diligence in real estate transactions, and has coordinated numerous environmental due diligence investigations involving multi-million dollar transactions. Mr. Jaffe negotiates on behalf of clients with regulatory agencies including the U.S. Environmental Protection Agency and the New Jersey Department of Environmental Protection, and advises clients on potential

### Departments

Environmental

### Practice Groups

Environmental

### Education

Georgetown University Law Center, J.D., 1988

State University of New York at Binghamton, B.A., 1985

### Bar Admissions

New Jersey, 1989

cost recovery options. He also provides guidance on environmental conditions pertaining to the management of commercial properties, such as asbestos, mold and vapor intrusion.

*Results may vary depending on your particular facts and legal circumstances.*

## HONORS & AWARDS

- Listed in *Chambers USA* (a publication of Chambers and Partners) in the Environment practice area (2015 – present)
- Listed in *The Best Lawyers in America*® (a trademark of Woodward/White, Inc.) in the Environmental Law practice area (2013 – present)
- Listed in *New Jersey Super Lawyers* (a Thomson Reuters business) in the Environmental practice area (2006 – present)
- Martindale-Hubbell Peer Review Rated AV® Preeminent (a trademark of Internet Brands, Inc.) (2019 – present)

*Please visit our Award Methodology page for a description of the standard or methodology on which these accolades are based. Attorney Advertising: No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

## REPRESENTATIVE MATTERS

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- Mr. Jaffe was a member of the firm's team that advised an international Fortune 500 retailer with regard to millions of square feet of development in various locales, including redevelopment areas, tax abatement (PILOT) agreements, environmental remediation, redevelopment plans, state, regional, county and local approvals, zoning permits and certifications, miscellaneous agreements, construction permitting, and assisted in drafting leasing provisions.
- Mr. Jaffe and other members of the firm's team represented one of the country's largest real estate developers in connection with the sale of twelve office/industrial properties in Passaic County for in excess of \$65 million. The buildings totaled more than 500,000 square feet and are leased to more than 70 tenants.
- Mr. Jaffe provided environmental related support in the firm's successful representation of plaintiff Des Champs Laboratories in *Des Champs Laboratories, Inc. v. Martin*, 2012 N.J. Super. LEXIS 115 (App. Div. 2012), in which the Court struck down an unauthorized regulation of the New Jersey Department of Environmental Protection (NJDEP) which threatened to significantly increase clean up obligations under the Industrial Site Recovery Act (ISRA) for businesses using very small amounts of hazardous substances.

## UNIQUELY NJ

- New Jersey State Bar Association
- Temple Beth Shalom; former President (2019 - 2021)

## PRESENTATIONS & SPEAKING ENGAGEMENTS

Speaker, Commercial Real Estate Transactions: From Handshake to Closing

Sponsor: *New Jersey Institute for Continuing Legal Education*, June 29, 2018

Faculty Member, The Changing Face of Site Remediation & Development in New Jersey: The Impact of Sandy, LSRPs and Other Critical Issues

Sponsor: *New Jersey Institute for Continuing Legal Education*, November 21, 2013

Panelist, Site Remediation Regulatory Updates

Sponsor: *Atlantic Builders Convention*, March 26, 2014

Panelist, Working with your LSRP: Changing Roles and Responsibilities under the NJDEP's New Site Remediation Program

Sponsor: *Rutgers New Jersey Agricultural Experiment Station*, April 18, 2012

Faculty, Environmental Law Update: Hot Topics for In-House Counsel

Sponsor: *New Jersey Law Journal In-House Counsel CLE Seminar*, November 2010

Faculty Member, Site Remediation Reform and the New LSRP System: Transactional, Technical and Brownfield Impacts

Sponsor: *New Jersey Institute for Continuing Legal Education*, March 2010

Faculty Member, ISRA 2009: Environmental Issues in Transactions & Brownfield Redevelopment & the New Site Remediation Reform Act

Sponsor: *New Jersey Institute for Continuing Legal Education*, May 2009

Guest Lecturer, Hot Topics in Environmental Law

Sponsor: *Middlesex County Bar Association*, September 2008

Faculty Member, Business Law Symposium – Environmental Aspects of Commercial Real Estate Leasing & Hot Topics in New Jersey Environmental Law

Sponsor: *New Jersey Institute for Continuing Legal Education*, April 2008

Faculty Member, Acquiring, Developing, and Disposing of Brownfields Sites – Negotiating Brownfields Contacts of Sale

Sponsor: *American Conference Institute Seminar*, May 2007

## PUBLICATIONS & ALERTS

Contributor, Commercial Real Estate Transactions in New Jersey  
*New Jersey Institute for Continuing Legal Education, 4th Edition, 2019*

Co-Author, Per- and Polyfluoroalkyl Substances: An Emerging Concern for Environmental Site  
Remediation and Public Drinking Water Suppliers in New Jersey  
*Greenbaum, Rowe, Smith & Davis LLP Client alert, October 2018*

Contributing Author, ISRA Compliance: Environmental Issues in Transactions, Brownfield Redevelopment  
and the Site Remediation Reform Act  
*NJICLE, 8th Edition 2013*

Co-Author, NJDEP's New Remedial Priority Scoring System  
What's Your Number?  
*Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 2012*

Co-Author, NJDEP Common Sense Waiver Rule To Become Effective August 1, 2012  
*Greenbaum, Rowe, Smith & Davis LLP Client Alert, March 2012*

Co-Author, Critical Environmental Deadlines Fast Approaching  
Have you received a letter from the New Jersey Department of Environmental Protection (DEP) recently?  
*Greenbaum, Rowe, Smith & Davis LLP Client Alert, February 2012*

Contributing Author, Commercial Real Estate Transactions in New Jersey: Volume I and II – Chapter 6;  
Environmental Issues  
*New Jersey Institute for Continuing Legal Education, 3rd Edition 2010*

Author, Negotiating Brownfields Contracts of Sale  
*NJPA Real Estate Journal, June 2007*

Co-Author, CERCLA Amendment Creates New Exemptions and Defenses  
*New Jersey Law Journal, February 2002*

## NEWS

Thirty-Four Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2024 Edition of  
New Jersey Super Lawyers  
March 26, 2024

2024 Edition of *Best Lawyers* Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers  
Recognized on "Ones to Watch" List; Five Selected for "Lawyer of the Year" Recognition  
August 17, 2023

Greenbaum, Rowe, Smith & Davis Recognized as Member of 2023 New Jersey Future Smart Growth Award-Winning Team for Downtown Westfield Redevelopment Project  
August 4, 2023

2023 Chambers USA Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes 22 Attorneys as Leading Individuals  
June 9, 2023

2023 Edition of *Best Lawyers* Recognizes 51 Attorneys in 36 Practice Areas: Nine Greenbaum Lawyers Recognized on “Ones to Watch” List; Seven Selected for “Lawyer of the Year” Recognition  
August 18, 2022