



JOHN M. SCAGNELLI

PARTNER

CHAIR, ENVIRONMENTAL & LAND USE GROUP
CO-CHAIR, INTELLECTUAL PROPERTY GROUP
RENEWABLE ENERGY & GREEN INITIATIVES

1100 Valley Brook Avenue
P.O. Box 790
Lyndhurst, NJ 07071-0790
Phone: 201-896-4100
Fax: 201-896-8660
jscagnelli@sh-law.com

BIOGRAPHY

John Scagnelli's environmental law practice covers the entire environmental law field, including environmental compliance, environmental litigation, environmental auditing, environmental permitting and environmental counseling. Mr. Scagnelli has had extensive legal experience servicing law firms, businesses and public entities. He serves as environmental counsel for banks and lending institutions, commercial and industrial companies, states and municipalities, real estate development organizations, and other organizations.

Mr. Scagnelli's environmental work includes remediation projects and litigation relating to state environmental statutes such as the New Jersey Industrial Site Recovery Act (ISRA); the federal Resource Conservation and Recovery Act (RCRA); the New Jersey Spill Compensation and Control Act (Spill Act); the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); the Toxic Substances Control Act (TSCA); the Clean Air and Clean Water Acts; federal and state Hazard Communication and Right-to-Know Legislation; federal and state occupational safety and health statutes; federal and state asbestos requirements; and federal and state underground storage tank regulations. Mr. Scagnelli also has extensive experience in the area of environmental pollution legal liability and environmental cost cap insurance.

Prior to joining the firm, Mr. Scagnelli worked at Whitman Breed Abbott & Morgan, a New York City firm, and served as Managing Partner of the firm's Newark, New Jersey office and Chair of the firm's Environmental Law Practice Group. Prior to that, Mr. Scagnelli worked at the firm of Clapp & Eisenberg in Newark, New Jersey, where he served as Chair of the firm's Environmental Law Department. Mr. Scagnelli also served as legal counsel with Chesebrough-Pond's, Inc. and as Vice President and General Counsel of Allied Maintenance Corporation, a subsidiary of Ogden Corporation. Mr. Scagnelli has also served as special environmental counsel to public authorities and municipalities, including the Casino Reinvestment Development Authority, the Passaic Valley Sewerage Authority, and the Jersey City Redevelopment Authority, and the cities of Elizabeth and Hoboken, among others.

Mr. Scagnelli has also participated extensively in environmental organizations, conferences and international legal and business delegations. He is Environmental Counsel to the New Jersey

State League of Municipalities. He is a member of the New Jersey Licensed Site Remediation Professional Association (LSRPA) and serves on its Steering and Risk Management and Loss Prevention Committees. He is also a Member of the American Bar Association Sections of International Law and Practice and National Resources, Energy and Environmental Law, the National Institute for Environmental Auditing, the Authorities Association of New Jersey and its Solid Waste Committee, the New Jersey and New York State Bar Environmental Law Sections, and a Director of the Water Resources Association for the Delaware River Basin ("WRA/DRB") where he has served as Chairman of WRA/DRB's Program and Special Education Committees.

Mr. Scagnelli served in several positions in the *NJDEP, et al. v. Occidental Chemical, et al.*, Docket No. ESX-L-9868-05 (PASR) (Passaic River Case) environmental litigation in 2009-2014. Mr. Scagnelli was appointed by the Hon. Sebastian Lombardi, the New Jersey Superior Court Judge assigned to the case, as Liaison Counsel for the Third Party Public Entity Group and as the third party defendant public entity representative on the Finance Committee. The Third Party Public Entity Group consisted of Linden Roselle Sewerage Authority, Rahway Valley Sewerage Authority, The Joint Meeting of Essex & Union Counties, Jersey City Municipal Utilities Authority, the Passaic Valley Sewerage Authority, the Passaic Valley Sewerage Committee, the Port Authority of New York and New Jersey, the Newark Housing Authority, the New Jersey State Departments of Agriculture and Transportation, New Jersey Transit, and New Jersey cities and municipalities, including the cities of Jersey City, Newark, Elizabeth, Paterson and Hackensack and a number of smaller municipalities. Mr. Scagnelli was also appointed to the Executive Committee and as Chairman of the Site Sampling and Additional Discharger Committee.

In 1990, Mr. Scagnelli was appointed by the Executive Director of the Land Administration, Commonwealth of Puerto Rico to a special Commonwealth Commission to deal with asbestos legal issues relating to the redevelopment of the former El Conquistador Hotel on the island. In 1991, Mr. Scagnelli was named a New Jersey Commissioner of the Interstate Environmental Commission, a tri-state environmental agency with jurisdiction over water and air pollution in the New York – New Jersey – Connecticut Region, and served as Chairman of

the Commission. In 1994, Mr. Scagnelli served on an American Bar Association, Section of International Law and Practice working group reviewing proposed environmental laws for the Country of Cambodia. In 2001, Mr. Scagnelli served as a member of New Jersey Governor McGreevey's Transition Team for the New Jersey Department of Environmental Protection.

Mr. Scagnelli has been named to the "New Jersey Super Lawyers" list, most recently in 2014. The list, published by Super Lawyers Magazine in conjunction with New Jersey Monthly Magazine, is an annual listing of outstanding lawyers from more than 60 practice areas who have attained a high degree of peer recognition and professional achievement. Mr. Scagnelli was also named to Digital Press International's "The Ten Leaders in Environmental Law in New Jersey" list for 2003-2004.

Mr. Scagnelli was selected in 2010 by the New Jersey Department of Environmental Protection (NJDEP) to serve on one of the four teams created as part of NJDEP's current reform of the Site Remediation process begun under the Site Remediation Reform Act of 2009. He was named Chair of the Measures of Success Team, which assessed NJDEP's Site Remediation Program and made recommendations to improve the Program.

Mr. Scagnelli served as Editor of Environmental Compliance & Litigation Strategy, a national monthly environmental Newsletter published by Leader Publications, Inc., and has published and edited widely in the environmental law field. He writes a chapter in the Environmental Law Handbook, Sixteenth Edition, a nationally recognized environmental law compendium, and has written articles on natural resource damages, pollution prevention and waste minimization, lender environmental liability, environmental auditing, international environmental legal issues, underground storage tanks, the regulation of sanitary landfills, and other topics. Mr. Scagnelli taught several University of Wisconsin environmental law programs sponsored by that School's Engineering Department and has taught environmental law subjects in programs sponsored by Government Institutes, Inc., National Business Institute, Inc. and Executive Enterprises, Inc.

Bar Admissions

- New York
- United States District Court, Southern and Eastern Districts of New York
- United States Court of Customs and Patent Appeals
- United States Court of Appeals, Federal Circuit
- United States Court of Appeals, Second Circuit
- New Jersey and U.S. District Court, District of New Jersey
- United States Court of Appeals, Third Circuit
- United States Court of Appeals, Eighth Circuit
- United States Court of Appeals, District of Columbia Court

Education

- Yale Law School (JD, 1975)
- Yale University (BA, summa cum laude, 1972)

Memberships and Affiliations

- NJ State League of Municipalities (Environmental Counsel)
- New Jersey Licensed Site Remediation Professional Association (LSRPA) (Member of Steering Committee)
- Waste Resources Association, Delaware Water Basin (Director)
- Interstate Environmental Commission (Vice-Chairman)
- Association of the Bar of the City of New York
- New Jersey State Bar Association
- American Bar Association
- New York County Lawyers Association

Papers/Publications

- The DuPont Pompton Lakes Case Has Just Begun - New Jersey Law Journal, July 8, 2002
- Assessing Legal Liability for Ground-water Contamination - New Jersey Law Journal, October 22, 2001
- New Jersey's Environmental Agenda: Suggestions for the Next Governor (Co-Author) - New Jersey Law Journal, July 9, 2001
- Environmental Legal Issues in Project Finance and Mergers and Acquisitions (Chapter Author) - International Project Finance, The Center for International Legal Studies, 2000
- Brownfields Redevelopment: Is There a Need for Additional Legal Incentives? - Environmental Compliance & Litigation Strategy, October 2000
- Make Certain Your Environmental Investigations Meet Your Development Objectives - Association of Foreign Investors in Real Estate News, May/June 1999
- Pollution Prevention Act (Chapter Author) - Environmental Law Handbook, Fifteenth Edition 1999, Government Institutes, Inc.
- Phase II Environmental Site Assessments: ASTM Provides Guidance - Metropolitan Corporate Counsel, April 1998
- Draft Guide Proposed on Sustainable Brownfields - The National Law Journal, March 16, 1998
- Pollution Prevention Act (Chapter Author) - Environmental Law Handbook, Fourteenth Edition 1996, Government Institutes, Inc.
- Reviewing Statute of Limitations Defenses - Environmental Compliance & Litigation Strategy, November 1996
- Pollution Prevention Act (Chapter Author) - Environmental Law Handbook, Thirteenth Edition 1995, Government Institutes, Inc.
- Stigma Damages: The Impact of Environmental Contamination on Market Value - Environmental Compliance & Litigation Strategy, April 1995- Current Developments in RCRA 1993 Report, Government Institutes, Inc.