




Matthew Conley

Partner

Environmental Law / Business Litigation

 856.673.3901

 mconley@archerlaw.com

Overview

Matt concentrates his practice on complex environmental, products liability, and toxic tort litigation, with a considerable focus on prosecuting and defending claims relating to environmental contamination, including cost recovery, contribution and property diminution. With significant experience in the area of natural resource damages (NRD), Matt represents Fortune 100 and multinational companies at large Superfund sediment sites and in response to claims relating to per- and polyfluorinated alkyl substances (PFAS).

Representing clients in state and federal courts, Matt often litigates cases driven by complex expert testimony of a technical and/or scientific nature. He conducts and manages all phases of discovery and has significant experience with ESI discovery. A strong and steady advocate for his clients, Matt tailors his strategy to the specific objectives of his clients, explains the litigation process in a straightforward manner, and develops a plan to achieve successful results.

Matt is a trusted strategist for his clients, advising them on environmental regulatory matters in New Jersey, Pennsylvania, and other jurisdictions, with particular experience relating to the Site Remediation Reform Act, Licensed Site Remediation Professional program, Industrial Site Recovery Act in New Jersey, RCRA corrective action, as well as the Act 2 process in Pennsylvania. Matt also counsels clients where environmental concerns may be associated with the sale, purchase, or development of commercial properties, particularly properties undergoing active remediation.

Earlier in his career, Matt worked for the NJ Department of Environmental Protection overseeing remedial projects at large industrial facilities throughout the State. This experience has provided Matt with unique insight into the NJDEP's policies and practices, which has proven instrumental in helping clients navigate legal challenges.

Representative Experience

- Served as trial counsel in Pennsylvania for a Fortune 5 company defending claims involving property diminution and cleanup costs, obtaining a complete defense verdict dismissing all claims against his client. Involved novel questions relating to liability and hydrogeology.
- Represents a major petroleum company in several jurisdictions, including New Jersey, Puerto Rico, Maryland, Rhode Island and others, defending product liability and natural resource damage claims associated with gasoline additive methyl tertiary butyl ether (MTBE).
- Represents a large petrochemical company in action brought by the New Jersey Department of Environmental Protection (NJDEP) seeking NRD for alleged injury to surface water, groundwater, wetlands, biota and sediments at a former refinery.
- Represents a natural gas utility in defense of NRD action brought by NJDEP for alleged injury caused by historic manufactured gas plant.
- Represented an international chemical company in defense of a multi-billion dollar action filed by NJDEP for environmental cleanup costs and other damages associated with the Passaic River and the Newark Bay Complex.
- Represented a major petrochemical company in New Jersey defending and prosecuting claims involving property diminution, cleanup costs, and fraudulent conveyances.
- Represented a major petroleum company defending toxic tort, medical monitoring, property diminution and other claims relating to a large release in Maryland.
- Advise a major petroleum company on complex commercial transactions involving the sale of hundreds of properties with known or potential environmental impacts.

Professional and Community Involvement

- Master and Executive Board Member, Stewart G. Pollock Environmental American Inn of Court (2017-present)
- Delaware Valley Environmental American Inn of Court
- Board Member, National Multiple Sclerosis Society (2018-present)
- American Bar Association-Environmental, Energy and Resources Section
- New Jersey State Bar Association
- Pennsylvania Bar Association
- Philadelphia Bar Association



- Co-Founder; Executive Editor, Seton Hall School of Law Circuit Review (2004-2006)

Select Articles

- “NJ’s Natural Resource Damage Order May Be Helpful For Cos.,” *Law360* (April 2023)
- “NJDEP Issues Administrative Order Revamping NRD Settlement Policies and Practices in New Jersey,” *Archer Client Advisory* (March 2023)
- “Pa. Steps Up NRD Enforcement. Is a Comprehensive NRD Program Coming?,” *The Legal Intelligencer* (July 2022)
- “State Natural Resource Damages Suits: What Cos. Must Know,” *Law 360* (June 2022)
- “The Power of Private Actions For Natural Resource Damages,” *Law360* (November 2020)
- “Natural Resource Damages Chapter,” *New Jersey Environmental Law Handbook* (9th edition), *Bernan Press* (February 2020)
- “New Jersey Court Dismisses NJ DEP Claims in NRD Case,” *Archer Client Alert* (December 2018)
- “New Jersey Ramps-Up NRD Program under Governor Murphy” (August 2018)
- “GenX: Recent Regulatory and Litigation Developments,” *American Bar Association* (July 2018)
- “New Jersey’s NRD Program Likely to Ramp-up Under Governor Murphy,” *Archer Client Alert* (February 2018)

Past Speaking Engagements and Seminars

- “Considerations for Compensating Injuries in NRD Litigation,” New Jersey State Bar Association’s Environmental Law Forum (June 2021)
- “NRD and Other Subjective Damages,” Perrin Environmental Risk & Litigation Conference (June 2019)
- “New Jersey Department Environmental Protection Renewed NRD Program: NRD Practitioners Update,” Chemistry Council of New Jersey Spring Conference (May 2019)
- “Latest Insights Regarding Natural Resource Damages Program,” LSRP Summit (December 2018)
- “Property Tax Assessments for Contaminated Properties and Industrial Facilities,” Chemistry Council of New Jersey Spring Conference (May 2017)



Credentials

Education

- Seton Hall University, JD, *cum laude*
- University of Mary Washington, BS

Bar Admissions

- New Jersey
- Pennsylvania
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of Pennsylvania

Offices

- Voorhees, NJ

Areas of Focus

Practice

- Environmental Law
- Environmental Litigation
- Natural Resource Damages & Assessments
- Permitting & Regulatory Compliance
- Waste & Recycling

