

REAL ESTATE



ANDY F. RIGEL

999 THIRD AVENUE,
SUITE 4600
SEATTLE, WA 98104
206.464.7643
ANDY.RIGEL@HCMP.COM

HCMP
Law Offices

Hillis
Clark
Martin &
Peterson

Q | A business operating on a neighboring property caused soil and groundwater contamination that has migrated to a property that I own. Am I responsible for cleaning up the contamination on my property?

A | Unfortunately, you might be. State and federal environmental statutes impose strict liability on the current owner of property where there has been a release of hazardous substances. “Strict liability” means that the current owner could be responsible for the cleanup even if the neighbor caused the contamination. There are very limited defenses to this cleanup liability, but the environmental statutes do provide a legal claim to recover cleanup costs from the neighbor that caused the contamination. But if the neighbor is unable to pay, the environmental statutes still require the current property owner to be responsible for the cleanup.