

B. David Naidu

Partner

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OVERVIEW

David Naidu has more than 20 years experience advising clients on a diverse set of environmental and land use issues in the transactional, litigation, and regulatory compliance contexts. He has advised clients on potential environmental risks and liabilities in mergers and acquisitions, divestitures, real estate leases, brownfield redevelopment, and financing regarding oil, gas, wind and solar facilities, pipelines, office buildings, and manufacturing and pharmaceutical plants. He also possesses extensive experience in complex multiparty litigation in state and federal courts involving contaminated waterways, landfills, oil spills, and contaminated industrial sites covering claims and defenses under CERCLA (Superfund), Clean Water Act, Clean Air Act, and RCRA.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, David was an environmental associate for a New York law firm. He has written several articles on environmental subjects, including a treatise published by the Oxford University Press entitled Biotechnology & Nanotechnology Regulation Under Environmental, Health, and Safety Laws (2009).

ACHIEVEMENTS

- Recognized by *Chambers USA* for Environment in New York, 2021-2026
- Listed in the *Best Lawyers in America*® for Environmental Law in New York, NY, 2026-2027
- Chosen to New York Metro Region Super Lawyers list, 2018-2026
- Recognized by *The Legal 500 United States* as a Recommended Lawyer for Environment: litigation, 2024
- Listed in the *Best Lawyers in America*® for Litigation - Environmental in New York, 2023

PROFESSIONAL / CIVIC ACTIVITIES

- City of Summit Council President and Councilmember (2016 - 2021)

- City of Summit Planning Board Member (2010 - 2018)
- City of Summit Environmental Commission Member (2006 - 2015)
- The Summit Conservancy, President (2014 - 2025)
- Great Swamp Watershed Association, Board President, Co-President, Member (2021-present)

SPEAKING ENGAGEMENTS

- Presenter, “TSCA PMN Process” presentation at The American Chemistry Council's Global Chem Workshop (2025)
- Presenter, “FIFRA and Nanotechnology,” webinar presentation for The Knowledge Congress, 2010.
- Presenter, “Nanochemicals and Navigating the Regulatory Patchwork,” webinar in conjunction with the Nanobusiness Alliance and American Chemistry Council, 2010.
- Presenter, Securing the Promise of Nanotechnology, “Risks and Regulation for Industry,” presentation at the Environmental Law Institute's 40th Anniversary Symposium, 2009.
- Presenter, “Admission of Soil and Groundwater Samples and Analytical Results at Trial,” presentation at the Air and Waste Management Association Annual Conference, 2007.

EDUCATION

- J.D., Georgetown University Law Center, 1998 *(cum laude; Notes Editor, Law and Policy in International Business)*
- M.A., Cornell University, 1995
- B.A., Vassar College, 1990 *(Phi Beta Kappa)*

ADMISSIONS

- Bar of New Jersey
- Bar of New York
- Appellate Division of the New York Supreme Court, Third Judicial Department
- United States District Court for the District of New Jersey
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York

THOUGHT LEADERSHIP *POWERED BY HUB*

- 15 September 2026, Federal Court Invalidates New York Climate Change Superfund Act
- 11 September 2026, Carbon Quarterly–Volume 14
- 24 August 2026, DC Circuit Upholds EPA's PFAS Hazardous-Substance Designations Under CERCLA
- 2 December 2025, EPA Proposes Modifications to PFAS Reporting Rule
- 20 May 2025, EPA Provides Update on PFAS Drinking Water Standards
- 7 May 2025, EPA Announces Upcoming Plans to Address PFAS
- 3 July 2024, Down Goes Chevron—Environmental Challenges Will Soon Follow
- 7 May 2024, Forever CERCLA: EPA Designates Certain PFAS as Hazardous Substances Under Superfund
- 18 July 2023, EPA Releases New Framework Addressing New PFAS and New Uses of PFAS in the Market
- 1 June 2017, A Not-So-Silver Lining: The Ninth Circuit Vacates EPA's Conditional Approval of a Nanosilver Pesticide Used in Manufacturing "Antimicrobial" Consumer Products
- 2 March 2017, Environmental Law Update: Comment Period for Three Proposed Toxic Substances Rules to Close in March
- 12 December 2016, EPA Announces 10 Chemicals to Be Evaluated for Risks to Human Health and the Environment
- Fall 2016, Environmental Policy Quarterly
- 13 July 2016, Federal Government Rewrites the Rules on Getting and Using Chemicals in the Marketplace
- 28 June 2016, New Toxic Substances Law Will Have Far-Reaching Impacts on American Business

OTHER PUBLICATIONS

- Author, "'Forever Chemicals' and the Law: Broadening PFAS Regulations and Legislation," *New Jersey Lawyer*, June 2024
- "Key Environmental Liability Considerations in Bankruptcy Actions," *New Jersey Lawyer*, October 2016
- Author, "Nanomaterials and the Move Toward Regulation," *Industry Week*, 2010.
- Author, "EPA Moves Forward with the Regulation of Nanotechnology," *Chemical Week*, 2010.
- Author, "Biotechnology and Nanotechnology: Regulation under Environmental, Health and Safety Laws," *Oxford University Press*, July 2009 and then subsequently under LexisNexis.
- Co-Author, "NYSDEC Draft Supplemental Generic Environmental Impact Statement for Natural Gas Drilling Activities in the Marcellus Shale Formation," *IOGA News*, Sept./Oct. 2009.

- Co-Author, “Water Quality Program Gets Back on Track,” *New York Law Journal*, December 17, 2001.
- Co-Author, “Do You Know Your Environmental Risk?” *New York Law Journal*, March 5, 2001.
- Co-Author, “Second Circuit Provides Guidance on CERCLA,” *New York Law Journal*, December 18, 2000.
- Author of Updates to Law of Chemical Regulation and Hazardous Waste, *West Publishing*, 1999 - present.
- Author of Updates to Law of Environmental Protection, *West Publishing* (Water and Waste Chapters), 1999 - present.

NEWS & EVENTS

- 17 August 2026, K&L Gates Advises Terramont Infrastructure Partners on Acquisition of Hainesport Transportation Group
- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 Chambers USA Guide
- 29 April 2019, K&L Gates Cross-Platform Team Advises LG Household & Healthcare Company in Acquisition Agreement with New Avon LLC
- 1 June 2016, K&L Gates Advises Cascades Inc. in Packaging Plant Purchase From Rand-Whitney

OTHER MEDIA MENTIONS

- Mentioned, “County legislative hearing produces surprising news in WJWW plant fight,” *Westmore News*, 22 February 2024

AREAS OF FOCUS

- Environment and Energy
- Commercial Disputes

INDUSTRIES

- Corporate Sustainability
- Energy
- Oil and Gas

REPRESENTATIVE EXPERIENCE

- Advising client on the passive receiver liability protection for PFAS contamination and analyzing various legislative options and draft proposals for consideration by outside groups.
- Advising private equity client on the acquisition on transfer stations and a C&D landfill.
- Advising client on addressing EPA inspection findings and alleged violations with respect to cement manufacturing operations at multiple sites and achieving compliance with consent decree terms.
- Advised client on pre-manufacture notice submissions to the US EPA for the registration of a new chemical, including having discussion with congressional staff and EPA and negotiating with the agency on the consent decree.
- Advised on importation of products subject to TSCA and on proper TSCA certification.
- Advised on the applicability of FIFRA pesticide regulations on various air filtration products.
- Representation of a consortium of companies on the Lower Passaic River concerning sediment contamination.
- Representation of former owners and operators of industrial facility in a suit against various insurance companies.
- Financing of acquisition of metal company assets in Texas and Montana.
- Acquisition of, or bidding on, power plants in Arizona, Connecticut, Maine, Rhode Island, and Massachusetts.
- Financing of acquisition of wind and solar facilities in Wisconsin.
- Sale of two former cement quarry properties in New York.
- Representation of an industrial PRP group at a Superfund site against state claims of alleged natural resource damage due to groundwater contamination.
- Acquisition, financing, and development of solar facilities in New York.
- Sale of hydroelectric power plants in Maine and New York.
- Department of Planning and Natural Resources, et al. v. Century Aluminum Company, et al. (D.V.I.). Representation of clients in a natural resource damages litigation involving alleged groundwater and marine environment damage.

- United States v. 110 Sand Company et al. (E.D.N.Y.) Representation of owners and operators of construction and demolition debris landfill against federal government claims that landfill emissions violated the Clean Air Act.
- Represented a consortium of companies at Croton Point Landfill.
- State of New York v. AMETEK, Inc. et al.; AMETEK, Inc. v. Kraft Foods North America, et al. (S.D.N.Y.). Representation of an industrial PRP group in defense and settlement with the State for a site in upstate New York; and prosecution of contribution claims against more than 40 municipalities and a number of industrial defendants.
- Representation of a consortium of companies at Sharkey Farms Landfill.
- United States v. New York Racing Association. Representation of clients in connection with a Clean Water Act claim and impacts to Jamaica Bay.
- United States v. Atlas Tack Corporation (D. Mass). Representation of owners of a former industrial facility against federal government's CERCLA cost recovery action.
- Acquisition of pharmaceutical manufacturing facilities in India.
- Shulman et al. v. Chromatex Inc.; United States v. Chromatex, Inc. (E.D. Pa). Representation of passive owners of a property against demands from the federal government for remediation costs; and prosecution of contribution and indemnification claims against former operators of the property.
- Permitting a gas-fired power plant in New York.
- Acquisition and development of a hydroponic facility in New Jersey.
- Represented a company regarding sediment contamination at Newtown Creek.
- Representation of a major broadcaster for damages to its television studio due to a contractor flooding the basement with oil.
- Acquisition of a paper processing mill in Virginia.
- Representation of a company with regard to the Gowanus Canal Superfund Site.