## Effective Strategies For Defending RCRA Citizen Suits

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There are a number of federal statutes that serve as the basis for pursuing those allegedly responsible for environmental contamination. With the Supreme Court's 2004 curtailment of a party's right to contribution for environmental contamination from liable parties under the Comprehensive Environmental Response, Compensation, and Liability Act2 and political tension around regulation by government agencies, citizen suits brought under the Resource Conservation and Recovery Act ("RCRA") remain a viable option for plaintiffs. This article highlights numerous tools available to effectively defend against a citizen suit action under RCRA. In particular, this article analyzes how a defendant can use the "imminent and substantial endangerment" element to its advantage in defeating a citizen suit.

