

PRACTICE AREAS

- Administrative Litigation & Government Enforcement Actions
- Air Quality Issues
- Class Actions & Multi-District Litigation
- Climate Change
- Environmental
- Environmental Crimes
- Environmental Due Diligence & Transactions
- Environmental Litigation & Toxic Torts
- Facility Siting
- Government, Internal Investigations & Criminal Defense
- Land Use & Zoning Litigation
- Litigation
- OSHA
- Permitting & Regulatory Compliance Advice
- Project & Equipment Finance
- Underground Storage Tanks & Petroleum Distribution
- Waste Management & Superfund Litigation
- Water Quality & Wetlands

EDUCATION

- B.A., Yale University, 1983, cum laude
- J.D., University of North Carolina at Chapel Hill, 1986, with honors; Member, North Carolina Law Review

PETER J. MCGRATH, JR.



MEMBER

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A frequent lecturer and author on diverse environmental issues, Peter McGrath brings to his wide-ranging clients extensive counseling and litigation experience with environmental issues arising in business and real estate transactions.

He provides his clients cutting-edge counsel on matters pertaining to:

- Clean Air Act
- Clean Water Act
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Resource Conservation and Recovery Act (RCRA)
- Occupational Safety and Health Act (OSHA)
- Other environmental and safety regulations

He also conducts pioneering environmental litigation and administrative actions, and manages environmental remediations under RCRA, CERCLA and analogous state laws. For example, Mr. McGrath led the successful defense of the first third-party administrative challenge to a landfill permit issued by the North Carolina Division of Solid Waste Management.

His extensive environmental litigation experience includes defense of Clean Water Act citizen suits, cases involving allegations of groundwater contamination, and defense of civil and criminal enforcement actions.

Representative Cases:

CONTINUED

BAR & COURT ADMISSIONS

- North Carolina, 1986

PETER J. MCGRATH, JR.

- *Ashcraft v. Conoco, Inc.*, No. 7:95-CV-187(3), United States District Court For The Eastern District Of North Carolina, Southern Division, 1998 U.S. Dist. LEXIS 4092; 26 Media L. Rep. 1620. Upholding contempt sanctions for breach of confidentiality provisions of settlement agreement.
- *Ashcraft v. Conoco, Inc.*, No. 7:95-CV-187-BR(3), United States District Court For The Eastern District Of North Carolina, Southern Division, 1997 U.S. Dist. LEXIS 9667. Describing permissible scope of discovery in toxic tort actions.
- *Culbertson v. Coats Am.*, Civil No. 94-CV-135-WCO, United States District Court For The Northern District Of Georgia, Gainesville Division, 913 F. Supp. 1572. Defended Clean Water Act citizen suit.
- *Sherrill v. Amerada Hess Corp.*, 3:95CV252-MU, United States District Court For The Western District Of North Carolina, Charlotte Division, 1995 U.S. Dist. LEXIS 18403. Obtained dismissal of toxic tort class actions where each member of class could not allege damages exceeding jurisdictional threshold.

OF NOTE

Named as one of North Carolina's Legal Elite 2010 in *Business North Carolina*.

PROFESSIONAL AFFILIATIONS

- American Bar Association
- North Carolina Bar Association: Environmental and Natural Resources Law and Business and Securities Regulation Sections