

## PETER J. MCGRATH, JR.

*Co-head of Environmental*

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Peter McGrath helps businesses navigate the complex maze of environmental law and regulation. For more than 30 years, he has counseled clients on a broad spectrum of environmental issues, providing advice and advocacy in litigation and on brownfields, permitting, and transactional issues in diverse industries and businesses.

Peter provides environmental counsel to clients across a broad spectrum of industries. He advises lenders, real estate developers, property managers, manufacturers, landfill operators, renewable energy developers, lenders and investors, and life sciences companies. He also helps clients comply with environmental law, providing regulatory advice in a wide variety of substantive areas, including solid and hazardous waste, coal ash management, stormwater and wastewater water discharges, air emissions, wetlands, chemical regulation, environmental remediation, and occupational safety and health.

Peter has successfully managed the environmental aspects of hundreds of corporate, financing, and real estate transactions, working in conjunction with other practice areas within the firm. That management includes conducting and coordinating environmental due diligence for target companies and properties, retaining and managing environmental consultants to investigate and quantify known and potential liabilities, counseling clients on environmental liabilities and risk allocation, drafting and negotiating the environmental provisions of transaction documents, assisting in the procurement of environmental insurance and other risk-mitigating solutions, and managing the post-closing resolution of environmental issues. Peter also advises real estate developers through all aspects of North Carolina's brownfields redevelopment program, from application and assessment, through negotiation of the documents required for the program, to public notice and recording, and post-development tax benefits.

### Capabilities

- Civil Litigation
- Economic Development & Incentives
- Environmental
- Litigation, Regulatory & White Collar
- Project & Equipment Finance

### 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

### Admissions

- North Carolina, 1986

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In addition, Peter has defended clients on an array of environmental enforcement matters, including negotiation of civil penalties, defense of criminal prosecution, and defense of civil litigation such as citizen suits and toxic tort actions.

### Notable

- *Chambers USA* - North Carolina, Environmental Law, 2008-2020
- *Best Lawyers in America*, Environmental Law, 2011-2021; Litigation - Environmental, 2011-2021
- *Business North Carolina* Legal Elite, 2009-2013, 2018-2021
- Mecklenburg County Air Quality Commission, Member since 2007, Chair since 2015
- Martindale-Hubbell, North Carolina Top Rated Lawyer

### Affiliations

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

### Representative Experience

- Represented a prospective developer in application, negotiation, and execution of North Carolina Brownfields Agreement covering 105-acre former pharmaceutical facility in Research Triangle Park
- Represented a university in defense of Clean Air Act Citizen Suit
- Represented a textile manufacturer in defense of Clean Water Act citizen suit
- Represented a prospective developer in application, negotiation and execution of North Carolina Brownfields Agreement covering two related multi-use development projects in the South End neighborhood of Charlotte
- Represented a prospective developer in application, negotiation and execution of North Carolina Brownfields Agreement covering large multi-family residential development in South End neighborhood of Charlotte
- Represented a textile manufacturer in a multi-media, multi-agency response to a fish kill in a lake in the mountains of western North Carolina