

Gary A. Peters

Detroit, MI

☎ 248.723.0490

📠 248.568.3828

📠 248.645.1568

✉ gpeters@howardandhoward.com



“I advise clients to ensure compliance with EPA, environmental, FDA, FAA, and import/export regulatory requirements.”

Mr. Peters represents clients throughout the United States, advising companies on the most cost-effective means for compliance with federal and state environmental regulatory programs. The programs he most regularly advises on include CERCLA, RCRA, EPCRA, Clean Water and Wetland issues, and Clean Air Act and its SNAP regulations along with defending clients when an agency alleges they have violated the requirements. Mr. Peters also counsels clients on the appropriate interpretation of the FDA, the USDA, and the U.S. Department of Commerce's import and export requirements, including Section 301 tariffs. His experience includes practicing before the U.S. International Trade Commission, as well as dealing with the U.S. Department of State's implementation of the International Traffic in Arms Regulations. He has defended clients in numerous federal criminal grand jury investigations initiated by the U.S. Department of Justice for alleged violations of various federal statutes.

Business & Corporate

- Environmental
- Automotive
- Energy, Infrastructure, & Utilities

Representative Matters

- Represented a coatings manufacturing company in defense of an Illinois EPA lawsuit seeking \$500,000 in civil penalties for an alleged failure to obtain a Title V Clean Air Act permit, resolving the litigation via consent order in state court for \$75,000.

- Counsel to national refrigerant manufacturing company in defending a U.S. EPA federal court lawsuit under the Clean Air Act SNAP program, negotiating a favorable consent decree and further prevailing on a subsequent claim by the DOJ for \$300,000 in stipulated penalties for alleged violation of the consent decree, with no penalty assessed.
- Represented a fertilizer manufacturing company in the acquisition and transformation from a traditional fertilizer manufacturing company into an innovative, environmentally friendly fertilizer, obtaining the transfer of environmental permits and the continued operation of the facility while undergoing the transformation process.
- Represented a multi-national environmental engineering firm in a product liability lawsuit claiming in excess of \$25MM based on an allegation of defective testing of a deer hunting tree stand. After removal to federal court and remand to state court, and over two years of discovery, our client was the only defendant to win summary judgment dismissal, with no appeal by plaintiff.
- Lead negotiation and drafting of multimillion-dollar sale of business with multiple locations, including negotiation and drafting of asset purchase agreements, disclosure schedules, assignment documents to transfer obligations to purchaser, along with other corporate documentation and consents, including director consents.
- Represented a manufacturing company in response to a grand jury subpoena issued by the ED of Louisiana for alleged criminal violations of EPA statutes, resulting in no indictment or criminal liability.
- Defended a major automotive company in an EPA criminal grand jury investigation for alleged discharge of contaminated coolant into the local municipal wastewater treatment plant. After four years of investigation, the DOJ and EPA's Criminal Investigation Division closed their investigation without indictment or criminal liability to the company.
- Lead counsel representing the Pennsylvania Department of Environmental Resources in a civil action against Ashland Oil Company for the collapse of its oil storage tank, which resulted in the discharge of over 750,000 gallons of petroleum into the Monongahela River. The resulting penalty of \$2.25MM was the largest civil penalty obtained at that time under the statute.

Education

- The John Marshall Law School, 1980
 - J.D.
- University of Iowa, 1976
 - B.A.

Memberships

- Illinois State Bar Association
- Iowa State Bar Association
- Pennsylvania Bar Association

Admissions

- Michigan, 1990
- Illinois, 1980

- Iowa, 1993
- Pennsylvania, 1986
- U.S. District Court, Southern District of Iowa, 2017
- U.S. District Court, Central District of Illinois, 2014
- Supreme Court of the United States, 2009
- U.S. Court of Appeals, Sixth Circuit, 2004
- U.S. Court of Appeals, D.C. Circuit, 2002
- U.S. Court of Appeals, Third Circuit, 1997
- U.S. District Court, Middle District of Pennsylvania, 1996
- U.S. District Court, Eastern District of Michigan, 1993
- U.S. District Court, Western District of Pennsylvania, 1986
- U.S. District Court, Northern District of Illinois, 1980

Professional Achievements

- Michigan *Leading Lawyers*, 2014-2021
- Michigan *Super Lawyers*, 2006; 2008-2009
- *dbusiness*, "Top Lawyers," 2010-2011; 2014; 2016-2020
- Martindale-Hubbell® AV Preeminent® Peer Review Rating