



## Kevin Murray

Partner

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**Kevin Murray assists clients with issues involving hazardous substances, remediation, contaminated property, and repurposing land development.**

His work includes all facets of remediation, compliance, permitting, mergers and acquisitions, land development, and property reuse.

Kevin has significant experience with CERCLA, RCRA, state hazardous waste laws, and related programs. He advises clients on a broad range of matters concerning the acquisition, remediation, and redevelopment of contaminated property. He is known for innovative and unique resolutions to complex contamination issues, especially involving multi-jurisdictional and multi-agency matters (particularly EPA and NRC), in the real estate, mining, energy, petroleum, nuclear, and the manufacturing industry. He has substantial experience with uranium mine and mill remediation and decommissioning. He has successfully represented public and private clients to transform thousands of acres of brownfields property. His practice expertise also includes the Clean Water Act, where he counsels clients on compliance and water quality matters.

### PRACTICES

Environmental and Natural Resources  
Environmental Compliance and Enforcement  
Zoning and Land Use  
Mining

### EDUCATION

Brigham Young University, J. Reuben Clark Law School, J.D., 1984  
*cum laude*

Brigham Young University, B.A., 1981  
*cum laude*

American College of Environmental Lawyers, Regent

National Association of Corporate Directors, Fellow

### BAR ADMISSIONS

Utah  
Texas  
Idaho

### EXPERIENCE

Negotiates federal Consent Decrees, Administrative Orders on Consent, and related agreements for matters related to:

- CERCLA
- RCRA
- Brownfields development
- Clean Water Act (CWA)

### CLIENT RESULTS

Strategist behind the highly innovative and successful Midvale Slag Site, which recently was deleted from the U.S. Environmental Protection Agency's National Priorities List of Superfund Sites 50 years ahead of schedule.

Played a key role in the Richardson Flats remediation, which was recognized by the Department of the Interior as the site of the year for its effective combination of Natural Resource Damages Restoration and CERCLA remediation.

Led the remediation and redevelopment of a 450-acre smelter site through the innovative use of special account and private funds. It was the first time

EPA had agreed to use the approach. The former smelter site is now a thriving multi-use project.

Led the development of innovative protocols for the reclamation and redevelopment of 2000-plus acres of mining land in a leading resort area. Continued development of estate lots, residential, commercial and hotels.

One of the first projects to successfully utilize the EPA ER3 pilot Superfund initiative.

Negotiated a Prospective Lessee Agreement, a liability relief mechanism reportedly used by EPA only one other time in CERCLA history.

Led the environmental team of a utility cooperative in permitting a large wind farm.

Counsel to potentially responsible parties in the remediation of seven miles of petroleum contaminated canal sediments.

Counsel to numerous parties in the negotiation of dozens of consent decrees for NPL site remediation.

Due diligence counsel in a \$3.2 billion acquisition of a Fortune 50 company.

Due diligence counsel in a bid to acquire a 1500 mile portion of a gas pipeline system, as well as an 8000 mile gulf natural gas pipeline and its associated 68.5 billion cubic feet storage system.

Due diligence counsel to acquire the production, gathering, transmission, and distribution assets of a large gas company, including more than 12,000 miles of pipeline and 90 compressor stations.

## **PUBLICATIONS**

"[Good Sam: A Base Hit Not a Grand Slam](#)," *American College of Environmental Lawyers (ACOEL)*, 09/30/2019

"[Potential Impacts of EPA's Draft Recommendations on PFAS](#)," *Holland & Hart News Update*, Co-Author, 06/03/2019

"The Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)," *Environmental Regulation*, excerpted from the *Second Edition of the American Law of Mining, Chapter 171*, Co-Author, 2018

"Toxic Substances Control Act," *Environmental Regulation*, excerpted from the *Second Edition of the American Law of Mining, Chapter 178*, Co-Author, 2018

"A Fresh Air Look at CERCLA Acquisition Structures," *Natural Resources & Environment, American Bar Association's Section of Environment, Energy, and Resources*, Summer 2017

"A Property Purchaser's Tool Box – Part Two," *Utah Business Magazine*,

June 2017

"A Property Mechanic's Tool Box," *Holland & Hart News Update*, 9/22/2016

"A Property Purchaser's Tool Box," *Utah Business Magazine*, August 2016

"Water Quality," *Environmental Regulation*, excerpted from the Second Edition of the American Law of Mining, Chapter 169, Co-Author, 2015

"The Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)," *Environmental Regulation*, excerpted from the Second Edition of the American Law of Mining, Chapter 171, Co-Author, 2015

### **SPEAKING ENGAGEMENTS**

"Environmental Disaster Recovery - Help Please?," *The American College of Environmental Lawyers and the Murrah Center for Homeland Security and Policy National Summit*, Oklahoma City, Oklahoma, April 18-19, 2019

"Response & Recovery - The National Disaster Response and Recovery Framework in Action," *The American College of Environmental Lawyers and the Murrah Center for Homeland Security and Policy National Summit*, Oklahoma City, Oklahoma, April 18-19, 2019

"Potentially Responsible Party (PRP) Perspectives on Superfund Site Reuse (Midvale Slag Site Case Study)," *Superfund Redevelopment Initiative*, August 2015

"Environmental Law Update," *Utah Municipal Attorneys Association Spring Conference*, May 2011

### **RECOGNITION**

- *Chambers USA: America's Leading Lawyers for Business*, Environment, Natural Resources & Regulated Industries, 2010-2019
- *The Best Lawyers in America*© Energy Law, Environment Law, 1995-2020
- American College of Environmental Lawyers, Fellow
- Martindale-Hubbell®, AV Preeminent® Rating
- *Utah Business Magazine*, Utah Legal Elite, 1998-2015; Environmental, 2017, 2018
- Mountain States Super Lawyers®, Environmental, 2007-2016, 2018-2019
- Mountain States Super Lawyers®, "Top 100 Lawyers," Environmental, 2012
- Peter W. Billings Excellence in Teaching Award, May 2016

### **PROFESSIONAL AND CIVIC AFFILIATIONS**

- Brigham Young University and University of Utah, Adjunct

Professor of Law

- Utah Solid and Hazardous Waste Control Board, Member, 2011-2016, Chair 2010-2016
- Pioneer Theatre Company, Chair, 2014-2016, Executive Board and Director of Development, 2006-2014
- Davis Education Foundation, Davis County School District, Board of Trustees, 2006-2011, Chair 2008-2009
- Lakeview Hospital, Board Member, 2000-2005, Chair 2003-2005
- Boy Scout of America, Council Executive Board, 2015-2016