

David J. Raphael

Partner

Harrisburg
+1.717.231.4574

Pittsburgh
+1.412.355.6500

dave.raphael@klgates.com

OVERVIEW

David Raphael is a partner in the firm's Environment and Energy practice group. Prior to joining K&L Gates, David served as Chief Counsel of the Pennsylvania Department of Environmental Protection (DEP) where he provided legal counsel to the Secretary and executive staff of the DEP. In this role, he oversaw a statewide team who represented the department on a variety of environmental compliance, litigation and transactional matters. His experience as an environmental practitioner–spanning more than 25 years in both the public and private sectors—has made him a trusted advisor on some of the largest and most complex energy and petrochemical projects in Pennsylvania.

While in government service, David provided legal advice to the Governor of Pennsylvania and Secretary of PADEP regarding environmental permitting matters related to the siting and construction of an ethylene cracker plant in Beaver County, Pennsylvania. The US$14 billion-dollar project is one of the largest construction projects completed in Pennsylvania since World War II. Since returning to private practice, David has provided legal counsel on environmental permitting matters for the expansion of the natural gas liquids facility, Marcus Hook Terminal (formerly the Marcus Hook Industrial Complex), where he advised on Title V air permitting, air modeling, and NPDES permitting. The Marcus Hook Terminal includes processing units, 3 million barrels of NGL storage, and four export docks with a capacity of 400,000 barrels per day.

Most recently, David has been retained to provide environmental permitting counsel for the Homer City Redevelopment Project—the largest natural gas–fired data center campus in the United States. This project will entail the construction of a 4.4 gigawatt natural gas-fired facility for a 3,200 acre AI and high-performance computing data center campus.

David represents clients in environmental litigation matters before the Environmental Hearing Board, various state and federal courts, and administrative boards. He also provides environmental counsel on complex transactions and a wide range of environmental compliance issues, including the implementation of environmental compliance and audit policies.

PROFESSIONAL BACKGROUND

Prior to entering private practice, David served as Deputy Attorney General with the Environmental Crimes Section of the Pennsylvania Office of Attorney General. As a Deputy Attorney General, David served as the lead trial attorney for complex environmental cases in state trial courts around the Commonwealth, and represented the OAG in appellate matters before state appellate courts. His duties also included review and approval of charging documents, search warrants, and investigative plans. David also served as a Special Assistant United States Attorney for the Eastern District of Pennsylvania, where he was involved in the prosecution of a significant laboratory fraud matter. His career began with the Office of Chief Counsel in the Department of Environmental Protection, serving as Assistant Counsel and Special Assistant Counsel, and representing the Commonwealth in environmental matters before the Environmental Hearing Board, Commonwealth Court, and Superior Court, and negotiating a number of the first redevelopment agreements under Act 2.

David served on the Environmental Hearing Board Rules Committee during his tenure as Chief Counsel of DEP.

David received his undergraduate degree in English, with honors, from Lynchburg College, and received his law degree from the Dickinson School of Law, where he served as Editor-in-Chief of the Dickinson Journal of Environmental Law & Policy. He also served as member of the Dickinson's mock trial team, which won a regional championship in New York City and competed in the national finals. David has served as a visiting judge to Dickinson's Trial Advocacy and Appellate Advocacy programs and is currently serving as a litigation skills instructor at the law school.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Environment in Pennsylvania, 2017-2026
- Recognized by *The Legal 500 United States* as a Recommend Lawyer for Environment: litigation, 2024
- Listed in *The Best Lawyers in America*® in Harrisburg, PA
  - Environmental Law, 2020-2027
  - Litigation-Environmental, 2019-2027
- The Order of Barristers
- Master of the Bench in the James S. Bowman American Inn of Court, 2023-2025
- Co-Chair of the Pro Bono and Public Service Committee of the James S. Bowman American Inn of Court, 2025

PROFESSIONAL / CIVIC ACTIVITIES

He is a supporter of philanthropic activities in Central Pennsylvania, including fundraising events for Big Brothers/Big Sisters of the Capital Region, Carlisle Arts Learning Center, and Carlisle Area Little League. He has served as President and Vice President of the Carlisle Area Girls Soccer Association and Vice President and Treasurer of the Carlisle Boys Soccer Booster Club.

SPEAKING ENGAGEMENTS

- PBI Environmental Law Forum - Speaker: Parallel Proceedings, 23 April 2026
- PA Chamber 2025 Energy and Environmental Conference – Speaker: Federal and State Policy Changes in Environment and Energy, 28 October 2025
- Marcellus Shale Coalition – Presentation: Pennsylvania Department of Environmental Protection's New SPEED Permitting Program, 10 December 2024
- Pennsylvania Aggregates & Concrete Association – Webinar: Pennsylvania Department of Environmental Protection's New SPEED Permitting Program, September 2024
- Marcellus Shale Coalition – Presentation: EPA's New Strategic Civil-Criminal Enforcement Policy: Implications for the Oil & Gas Industry, 05 June 2024
- Pennsylvania Bar Institute Environmental Law Forum – Presentation: Effective Use of Complex Environmental Evidence, 11 April 2024
- Young Energy Professionals Workshop: The Midstream Sessions, The Center for American and International Law, "Navigating Midstream Regulation at the Federal and State Level," 11 January 2023
- PACA Annual Meeting, Environmental Justice in Pennsylvania, 14 November 2022, Hershey, Pennsylvania
- NSSGA Annual Conference, Environmental Justice Presentation, 14 March 2022, Nashville, Tennessee
- PBI Oil and Gas Colloquium, Pipeline and Infrastructure Case Law Survey, 28 June 2018, Cranberry Township, PA.
- NSSGA Annual Conference, Legal Symposium, Preparedness for Natural Disasters, 7 March 2018, Houston, Texas.
- Environmental Law Forum, Environmental Issues Facing The Oil & Gas Industry, 6 April 2017, Harrisburg, Pennsylvania Environmental Compliance Issues Conference, Pennsylvania Chamber of Business and Industry, 20 October 2015, Harrisburg, PA.
- Pennsylvania Chamber of Commerce: DEP Quarterly Meeting, “Adapting to a New Era of Strict Criminal Liability”, 29 January 2014, Harrisburg, PA.

EDUCATION

- B.A., Lynchburg College, *(with honors)*
- J.D., Dickinson School of Law of The Pennsylvania State University, *(Editor-in-Chief, Dickinson Journal of Environmental Law & Policy)*

ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for Veterans Claims
- United States District Court for the Middle District of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- 19 August 2026, Pennsylvania Data Center Executive Order Adds New Development and Permitting Requirements
- 17 February 2026, EPA Issues Final Rule Eliminating GHG Endangerment Finding
- 8 January 2026, Pennsylvania Department of Environmental Protection Releases Final Environmental Justice Policy
- 17 November 2025, Pennsylvania Budget Institutes New Permitting Reforms, Abrogates Pennsylvania RGGI Rule
- 22 January 2025, Trump Issues Sweeping Executive Order Declaring National Energy Emergency
- 22 November 2024, Governor Shapiro Fast Tracks Critical Infrastructure Project Permitting
- 3 July 2024, Down Goes Chevron—Environmental Challenges Will Soon Follow
- 20 September 2023, Pennsylvania DEP Publishes Final Interim Environmental Justice Policy
- 5 June 2023, US Supreme Court Issues Landmark Clean Water Act Decision, Significantly Narrowing the Scope of "Waters of the United States" Under Federal Law
- 17 March 2023, EPA Releases Proposed PFAS Drinking Water Standards and Expands List of Regulated Substances
- 2 February 2023, Governor Shapiro Takes Action to Improve Permitting Efficiency Within Pennsylvania Agencies
- 14 December 2022, Pennsylvania Takes Emergency Action to Regulate Conventional Oil and Gas Industry Emissions
- 29 August 2022, EPA Designates PFAS Chemicals As Hazardous Substances in Newly Proposed CERCLA Regulations
- 7 July 2022, Carbon Quarterly – Volume 6
- 6 July 2022, Supreme Court Advances Major Questions Doctrine and Limits EPA's Authority to Regulate Power Plant Carbon Emissions
- 15 March 2022, PADEP Releases Updated Environmental Justice Policy for Public Comment

- 24 February 2021, D.C. Circuit Grants EPA's Request to Keep Clean Power Plan on Ice
- 26 January 2021, D.C. Circuit Vacates Trump's ACE Rule and Deals Biden's EPA New Hand for Regulating Power Plant Greenhouse Gas Emissions
- 31 August 2018, Trump Administration Releases Clean Power Plan Replacement Proposal
- 20 June 2018, New General Air Permits Target Methane Emission Reductions in Pennsylvania
- 24 October 2017, EPA Initiates Formal Regulatory Process to Roll Back Clean Power Plan
- 11 July 2017, Pennsylvania Supreme Court Issues Transformative Decision in Environmental Rights Amendment Case
- 31 March 2017, Executive Order Directs Federal Agencies to Reconsider Federal Initiatives Focused on Greenhouse Gas Emissions and Climate Change
- 19 August 2016, Uncorked: Act 39 of 2016 Expands Wine Sales in Pennsylvania
- 27 April 2016, Update on EPA’s Clean Power Plan
- 11 February 2016, High Court Grants Stay of Clean Power Plan
- Spring 2015, Environmental Policy Quarterly

OTHER PUBLICATIONS

David has served as a contributing author to the award-winning Environmental Law Handbook, published by the Pennsylvania Bar Institute, and has published articles on environmental matters in various legal publications.

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 30 March 2022, Navigating Environmental Justice Challenges, Hosted by AGG1 Academy & Expo
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch

- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 Chambers USA Guide
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide

AREAS OF FOCUS

- Environment and Energy

INDUSTRIES

- Energy
- Oil and Gas
- Power

EMERGING ISSUES

- Data Centers and Energy Intensive Infrastructure