



Mark N. Duvall

Principal

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Mark has over two decades of experience working in-house at large chemical companies.

His focus is product regulation at the federal, state, and international levels across a wide range of programs, and occupational safety and health.

He leads the firm's Chemicals group. His experience under the Toxic Substances Control Act (TSCA) includes enforcement actions, counseling, rulemaking, advocacy, and legislative actions. Since the enactment of TSCA amendments in 2016, he has been heavily involved in advocacy, compliance activity, and litigation arising from EPA's implementation of these amendments. He also works with foreign counterparts to TSCA, including REACH and CEPA.

He is also a leader of the firm's Occupational Safety and Health practice. He has extensive experience with OSHA and state OSHA inspections, enforcement litigation, compliance counseling, advocacy, and rulemaking. He has counseled clients on the EPA risk management program requirements under Section 112(r) of the Clean Air Act and state worker protection programs, and on inspections by the Chemical Safety and Health Investigation Board.

He has extensive experience with the Federal Insecticide, Fungicide, and Rodenticide Act, particularly with respect to regulation of antimicrobials, and with the Biocidal Products Directive in Europe.

He heads the firm's FDA practice, having worked on FDA regulation of food and food additives, dietary supplements, drugs, medical devices, and cosmetics, and European counterparts. He is knowledgeable about human testing requirements, having served as the Chair of an institutional review board for several years.

He has counseled clients on the regulation of consumer products by the Consumer Product Safety Commission and the Federal Trade Commission. He has reviewed hundreds of green marketing claims and counseled on federal, state, and international regulation of such claims.

He has worked on green chemistry issues at the federal and state levels, as well as a variety of voluntary programs that affect products. He has helped clients with the Emergency Planning and

Community Right-to-Know Act, the Controlled Substances Act, the Chemical Weapons Convention, and other chemicals-related requirements.

He has advised clients and written and lectured on the regulation of the products of nanotechnology by FDA and by EPA under FIFRA and TSCA, and on related product stewardship issues.

Education

- Amherst College (B.A., *magna cum laude*, 1974)
 - Phi Beta Kappa
- University of Virginia (J.D., 1978)
 - Order of the Coif

Bar Admissions

- District of Columbia
- Connecticut
- Michigan

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals – Fifth Circuit
- U.S. District Court – District of Columbia

Professional Affiliations

- American Bar Association; Section on Environment, Energy, and Resources; Committee on Pesticides, Chemical Regulation, and Right-to-Know; Vice Chair and former Chair

Honors & Awards

- *The Best Lawyers in America*®, a *Best Lawyers* publication, recognition in Environmental Law (2013-2020)
- *Super Lawyers*, part of Thomson Reuters, Washington, DC, Super Lawyer (2014-2015; 2018-2019)

Publications

September 5, 2019

SEC Proposes Changes to Reporting Regulations Impacting Environmental Disclosures

Beveridge & Diamond

August 12, 2019

TSCA CBI to be Posted on EPA Website Unless Substantiated by August 15

Beveridge & Diamond

May 30, 2019

OSHA Announces Lockout/Tagout and Standards Improvement Project Developments

Beveridge & Diamond

March 27, 2019

First 40 Candidate Chemicals for Prioritization Under TSCA Announced

Beveridge & Diamond

March 27, 2019

EPA Issues First TSCA Section 6 Final Rule in Thirty Years

Beveridge & Diamond

March 6, 2019

TSCA New Chemicals Program Continues to Suffer from Delays

Beveridge & Diamond

March 5, 2019

Calendar of TSCA Developments in 2019 and Beyond

Beveridge & Diamond

March 4, 2019

States Consider 93 Bills to Restrict Chemicals in 2019

Beveridge & Diamond

March 4, 2019

Chemical Data Reporting Rule: 2019 is the Principal Reporting Year

Beveridge & Diamond

March 4, 2019

Cleaning Product Manufacturers Gear Up for Compliance with State Ingredient Disclosure Laws

Beveridge & Diamond

March 4, 2019

Proposition 65 2.0: Where It Is and Where It's Going

Beveridge & Diamond

January 29, 2019

OSHA Finalizes Rule Rescinding Electronic Submission of Certain Injury and Illness Records

Beveridge & Diamond

December 18, 2018

Fifth Circuit Upholds OSHA's Multi-Employer Citation Policy

Beveridge & Diamond

December 18, 2018

OSHA Proposes Amendments to its 2017 Beryllium Standard

Beveridge & Diamond

October 30, 2018

OSHA Issues Important Guidance for Employer Safety Incentive/Drug-Testing Programs and Forecasts Key Enforcement Targeting Initiative

Beveridge & Diamond

October 22, 2018

Eleventh Circuit Rejects OSHA Effort to Expand Inspection Based on Injury Records

Beveridge & Diamond

October 11, 2018

California Enacts Broad Prohibitions on Flame Retardant Use

Beveridge & Diamond

October 11, 2018

Ten Things PMN Submitters Need to Know

Beveridge & Diamond

August 22, 2018

OSHA Proposes to Rescind Electronic Submission of Certain Injury and Illness Records

Beveridge & Diamond

May 8, 2018

OSHA Issues Direct Final Standard Amending Beryllium Standards for General Industry with Attention to Dermal Contact

Beveridge & Diamond

April 23, 2018

California Supreme Court Allows Unfair Competition and False Advertising Claims Against Employer Arising From Workplace Accident

Beveridge & Diamond

April 17, 2018

EPA's Formaldehyde Standards: Compliance Date Moved Up to June 1, 2018

Beveridge & Diamond

February 27, 2018

TSCA Reform Implementation and Expected 2018 Developments

Beveridge & Diamond

February 27, 2018

Ninth Circuit Orders EPA to Update Standards for Lead-Based Paint and Dust Hazards

Beveridge & Diamond

February 27, 2018

Get Ready for Compliance: Recent Updates on EPA's Formaldehyde Emission Standards for Composite Wood Products

Beveridge & Diamond

February 13, 2018

Washington OSHA Issues Draft PSM Rule for Refineries

Beveridge & Diamond

January 10, 2018

D.C. Circuit Rejects Industry Challenges to Silica Rule and Remands to OSHA for Further Consideration on Medical Removal Protections

Beveridge & Diamond

December 20, 2017

Update on TSCA Mercury Inventory Reporting Rule

Beveridge & Diamond

December 19, 2017

California Approves New Amendments to Proposition 65 Safe-Harbor Regulations

Beveridge & Diamond

November 29, 2017

States Continue to Enact Chemical Legislation in 2017

Beveridge & Diamond

November 28, 2017

Competing Cosmetic Safety Bills Would Each Expand FDA Regulatory Authority

Beveridge & Diamond

November 28, 2017

OSHA Delays First Deadline for Electronic Reporting to December 15

Beveridge & Diamond

October 24, 2017

Practitioner Insights: Protecting Stakeholders Under the New TSCA

Bloomberg BNA

October 13, 2017

The *Mexichem* Conjecture: Regulating HFCs under CAA ... or TSCA?

Beveridge & Diamond

August 23, 2017

EPA Publishes Background Documents for Five PBT Chemicals

Beveridge & Diamond

August 18, 2017

The TSCA Inventory Reset Begins

Beveridge & Diamond

August 18, 2017

EPA Releases Final Guidance on TSCA Section 8(a) Nanomaterial Reporting Rule

Beveridge & Diamond

July 20, 2017

EPA Releases TSCA Final Rule on Prioritization of High-Priority and Low-Priority Chemical Substances

Beveridge & Diamond

July 20, 2017

EPA's Risk Evaluation Framework Rule Incorporates Key Industry Suggestions

Beveridge & Diamond

July 5, 2017

EPA Unveils Scoping Analysis for Risk Evaluations under Amended TSCA

Beveridge & Diamond

June 30, 2017

OSHA Proposes December 1 Deadline for First Phase of Electronic Reporting

Beveridge & Diamond

June 30, 2017

Unique Identifiers: A Little-Noticed TSCA Provision Could Have a Big Impact on CBI

Beveridge & Diamond

June 16, 2017

EPA Delays Effective Date of RMP Rule Amendments, Environmental Groups File Challenge

Beveridge & Diamond

May 24, 2017

OSHA Indefinitely Delays Electronic Reporting Requirements

Beveridge & Diamond

May 23, 2017

TSCA Nanomaterial Reporting Rule: EPA Delays Effective Date and Releases Draft Guidance for Public Comment

Beveridge & Diamond

April 10, 2017

OSHA's *Volks* Rule Invalidated

Beveridge & Diamond

March 15, 2017

EPA Stays RMP Rule Amendments and Grants Petition for Reconsideration

Beveridge & Diamond

February 22, 2017

TSCA Reform Implementation Update

Beveridge & Diamond

February 21, 2017

States Consider 51 Bills to Restrict Chemicals in 2017

Beveridge & Diamond

January 17, 2017

OSHA Issues New Beryllium Standards

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January 5, 2017

EPA Releases Final RMP Amendments

Beveridge & Diamond

December 22, 2016

OSHA "Clarifies" Employers' Injury and Illness Recordkeeping Obligations

Beveridge & Diamond

December 19, 2016

EPA's Formaldehyde Standards for Composite Wood Products Pose Challenges for Industry

Beveridge & Diamond

November 30, 2016

Revised OSHA Fall Protection Standard Imposes New Obligations on Employers

Beveridge & Diamond

October 14, 2016

A Few States Adopt Chemical Legislation Despite TSCA Reform

Beveridge & Diamond

October 12, 2016

New TSCA Requirements for Chemical Importers

Beveridge & Diamond

July 29, 2016

Compliance Deadline for OSHA Workplace Safety Reporting Anti-Retaliation Regulations Extended to November 1

Beveridge & Diamond

July 15, 2016

OSHA, EPA and DOI Increase Maximum Civil Penalties

Beveridge & Diamond

June 30, 2016

Chemical Data Reporting Rule: The Time Is Now

Beveridge & Diamond

June 22, 2016

TSCA Reform Becomes Law, Now the Clock Starts to Tick on Implementation

Beveridge & Diamond

June 8, 2016

Now That TSCA Reform Is Here - What's Next?

Bloomberg BNA

June 2, 2016

What's New About the Revised TSCA

Beveridge & Diamond

April 19, 2016

The District of Columbia and Washington State Pass Back-to-Back Bans on Flame Retardants

Beveridge & Diamond

March 31, 2016

OSHA Amends Existing Standards for Occupational Exposure to Respirable Crystalline Silica

Beveridge & Diamond

March 22, 2016

Prop 65 Regulatory Activity Raises New Compliance Questions for Industry

Beveridge & Diamond

March 18, 2016

States Consider Over 60 Bills Regulating Chemicals in 2016

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March 18, 2016

Evolving State Green Chemistry Initiatives

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March 18, 2016

Key Governmental Obligations Under TSCA Reform Legislation

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January 7, 2016

TSCA Legislation Passes the Senate and Nears Final Passage

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December 18, 2015

New DOJ Prosecutorial Initiative Blends Environmental and Worker Safety

Beveridge & Diamond

November 18, 2015

Substantial OSHA Penalty Increases Are Coming

Beveridge & Diamond

October 23, 2015

FTC Backs Off Green Guides Biodegradability Standard

Beveridge & Diamond

September 24, 2015

Implementing TSCA Legislation: Insights From EPA's TSCA Work Plan

Bloomberg BNA

September 18, 2015

On the Cusp of TSCA Reform, States Continue to Regulate Chemicals

Beveridge & Diamond

September 16, 2015

FTC Issues Warning Letters About Environmental Seals and Certifications

Beveridge & Diamond

June 26, 2015

TSCA Reform Nears Enactment with Easy Passage in the House

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June 1, 2015

Cosmetic Safety Legislation Introduced Again

Beveridge & Diamond

April 29, 2015

Amended Udall-Vitter TSCA Reform Bill Reaches Senate Floor

Beveridge & Diamond

April 27, 2015

House Subcommittee to Revise Draft TSCA Reform Bill for May 14 Markup

Beveridge & Diamond

April 6, 2015

EPA Proposes Reporting Requirements for Nanoscale Materials

Beveridge & Diamond

March 25, 2015

Udall-Vitter TSCA Reform Bill Builds Momentum for Passage

Beveridge & Diamond

March 25, 2015

Environmental Appeals Board Vacates Penalties for TSCA Section 8(e) Violations

Beveridge & Diamond

February 24, 2015

States Consider Over Thirty Proposals Restricting the Use and Sale of Chemicals in 2015

Beveridge & Diamond

January 7, 2015

EPA Significant New Use Rule for Benzidine-Based Substances Signals Broader Approach to Regulating Chemicals in Articles

Beveridge & Diamond

January 5, 2015

CPSC Proposes Additional Phthalate Restrictions

Beveridge & Diamond