

Committee on Energy and Commerce
U.S. House of Representatives

Witness Disclosure Requirement - "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

1. Your Name: <u>Mark N. Duvall</u>		
2. Are you testifying on behalf of the Federal, or a State or local government entity?	Yes	No <input checked="" type="checkbox"/>
3. Are you testifying on behalf of an entity that is not a government entity?	Yes	No <input checked="" type="checkbox"/>
4. Other than yourself, please list which entity or entities you are representing: <u>None.</u>		
5. Please list any Federal grants or contracts (including subgrants or subcontracts) that <u>you or the entity you represent have received</u> on or after October 1, 2011: <u>None.</u>		
6. If your answer to the question in item 3 in this form is "yes," please describe your position or representational capacity with the entity or entities you are representing: <u>NA</u>		
7. If your answer to the question in item 3 is "yes," do any of the entities disclosed in item 4 have parent organizations, subsidiaries, or partnerships that you are not representing in your testimony?	Yes	No <u>NA</u>
8. If the answer to the question in item 3 is "yes," please list any Federal grants or contracts (including subgrants or subcontracts) that were received by the entities listed under the question in item 4 on or after October 1, 2011, that exceed 10 percent of the revenue of the entities in the year received, including the source and amount of each grant or contract to be listed: <u>NA</u>		
9. Please attach your curriculum vitae to your completed disclosure form. <u>Attached</u>		

Signature: _____

Date: March 10, 2014



Mark N. Duvall

Mark Duvall has over two decades of experience working in-house at large chemical companies. His focus at Beveridge & Diamond, P.C. has been on product regulation at the federal, state, and international levels across a wide range of programs, and occupational safety and health. He co-chairs the Firm's Chemicals, Products, and Nanotechnology practice group.

He heads the Firm's Toxic and Harmful Substances/Toxic Substances Control Act practice. His experience under TSCA includes enforcement actions, counseling, rulemaking, advocacy, and legislative actions. He chairs the TSCA Dialogue Group, an informal group of companies that manufacture, import, distribute, and/or sell chemicals, and related trade associations, that address possible legislation to amend TSCA and alternatives to legislation. He also works with foreign counterparts to TSCA, including REACH and CEPA.

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 regulation of the products of nanotechnology by FDA and by EPA under FIFRA and TSCA, and on related product stewardship issues.

He heads 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,

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Principal

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PRACTICES

- ◆ Alternative Energy - Environmental
- ◆ Biotechnology
- ◆ Consumer Products Practice
- ◆ Emergency Planning and Community Right-to-Know
- ◆ FDA Practice
- ◆ Global Product Stewardship
- ◆ International Environmental Law
- ◆ Nanotechnology
- ◆ Occupational Safety and Health
- ◆ Pesticides
- ◆ Product Regulation and Litigation Practice
- ◆ Toxic Substances/TSCA
- ◆ Voluntary Initiatives and Programs

EDUCATION

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

Mark N. Duvall, *continued*

BAR ADMISSIONS & MEMBERSHIPS

- ◆ State Bars: District of Columbia; Connecticut; Michigan
- ◆ Federal Appellate Courts: U.S. Supreme Court; U.S. Court of Appeals for the District of Columbia and Fifth Circuits
- ◆ U.S. District Courts: District of Columbia

with particular emphasis on process safety. 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 is Vice Chair and former Chair of the Committee on Pesticides, Chemical Regulation, and Right-to-Know of the American Bar Association's Section on Environment, Energy, and Resources.

PUBLICATIONS

EPA Continues to Improve Regulation of Public Health Antimicrobials, *The Environmental Counselor*, September 2012

Case Study: Solis V. Loretto-Oswego Health Care, *Law360*, September 14, 2012

Retailer Sustainability and the Supply Chain, *Natural Resources & Environment*, Volume 26, Number 4, Spring 2012, June 28, 2012

TSCA Protects Confidential Chemical Identities In Health and Safety Studies From Disclosure, *BNA Inc. Chemical Regulation Reporter*, March 2012

FDA Regulation of Nanotechnology, February 1, 2012

Regulation of Nanotechnology and Nanomaterials at EPA and Around the World, *Beveridge & Diamond, P.C.*, 2011

Fixing the Consumer Product Safety Improvement Act: Are We There Yet?, *BNA Product Safety & Liability Reporter*, October 7, 2011

Hope For TSCA Reform In The 112th Congress, *Environmental Law360 and Product Liability Law360*, April 11, 2011

How States Are Spearheading Chemical Regulation, *Product Liability Law360*, March 4, 2011

Regulating Chemicals in Products: The Case of Bisphenol A, *BNA Chemical Regulation Reporter*, September 24, 2010

Chemical Reaction: Revising Regulatory Science, *The Environmental Forum*, November 2009

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Mark N. Duvall, *continued*

Using TSCA for 'Existing' Nanomaterials: The Case for Significant New Use Rules, *BNA, Inc. Chemical Regulation Reporter*, March 2, 2009

Nanomaterials – They May Be New, But Are They New Chemicals for TSCA Purposes?, *ABA SEER, Pesticides, Chemical Regulation, and Right-to-Know Committee Newsletter*, Vol. 8, No. 1, January 2007