



## Scott M. Sherlock

Consulting Counsel



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Scott serves as a consulting counsel to Wiley. He has more than 31 years in the environmental field specializing in Confidentiality/Right-to-Know implementation issues related to the Toxic Substances Control Act (TSCA) and the relationship of that statute's confidentiality provisions with those of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Emergency Planning Community Right-to-Know Act (EPCRA), the Federal Food, Drug, and Cosmetic Act (FFDCA), and a variety of state laws. Scott can provide practical help to clients navigating the complex confidentiality landscape and other rules and policies associated with the post-2016 TSCA amendments.

Prior to joining Wiley, Scott worked with the U.S. Environmental Protection Agency (EPA) as a policy attorney for the Office of Pollution Prevention and Toxics (OPPT). He was involved in every TSCA rule development from 1990 until July 2021. He provided broad assistance to the program office for TSCA section 5 (new chemicals), TSCA section 8, in particular, the Agency's update of the TSCA Chemical Substances Inventory, and the implementation of EPA's chemical information collection rules. Scott served in a leading role on cooperation efforts and data sharing with state, local, and foreign governments. He also served as OPPT regulatory development coordinator and was charged with preparing rule development packages for Office of Management and Budget review.

### Representative Matters



- Advising companies on EPA TSCA confidential business information (CBI) processes, including determinations, as well as helping industry proactively protect intellectual property in the regulatory context.

### Practice Areas



Environment & Product Regulation

### Credentials



#### Education

J.D., University of Baltimore School of Law

B.A., Franklin & Marshall College

#### Bar and Court Memberships

District of Columbia Bar (\*Pending, supervised by principals of the firm who are members of the District of Columbia Bar)

Maryland Bar

- Counseling businesses on available recourse in the face of adverse Agency determinations or when CBI is inadvertently revealed, such as failure to provide appropriate substantiation.
- Regulatory analysis of proposed domestic and international legislative and regulatory developments affecting various segments of the environmental and product safety industries, including the chemical, pesticide, and consumer product industries.
- Assists clients with chemical and pesticide submissions and other related matters.

## Professional Experience

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- U.S. Environmental Protection Agency
  - Acting Chief, TSCA Confidential Business Information Policy and Implementation Branch, Program Management and Operations Division, Office of Pollution Prevention and Toxics (2020-2021)
  - Attorney Advisor, TSCA Confidential Business Information Policy and Implementation Branch, Program Management and Operations Division, Office of Pollution Prevention and Toxics (2000-2020)
  - Attorney Advisor, Environmental Assistance Division, Office of Pollution Prevention and Toxics (1999)
  - Attorney Advisor, Information Management Division (1990-1999)
- Private law practice (1985-1990)
- Judicial Law Clerk, Anne Arundel County Court (1984-1985)

## Recognitions

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- During his tenure at EPA, Scott received two Gold Medals for Exceptional Service, EPA's highest honor award. He also received one Silver Medal, numerous Bronze Medals, and the Silver Hammer Award, which was awarded to those who made significant contributions in support of reinventing government principles.