

# ANNUAL CONFERENCE

## prop.65clearinghouse

MONDAY, SEPTEMBER 23, 2024

JULIA MORGAN BALLROOM

### 2:45 to 3:45    **When to Test Your New Product: Proactive vs. Reactive Analytical Testing**

Round Table:

**Emily Goswami**, Technical  
Director, Roux Associates

**Hazel Ocampo**, Shareholder,  
Greenberg Traurig

**Rick Rothman**, Partner, Morgan Lewis

**Rob Scofield**, Vice President/Principal  
Toxicologist, GSI

## Bios

### **Emily Goswami**

Technical Director, Roux Associates

Emily is a Technical Director with Roux in Oakland, CA. She is a Certified Industrial Hygienist (CIH) with a Master of Science degree in Environmental Health and over twenty years of experience in assessing exposures and potential health risks to chemicals and agents in the environment, workplace, and consumer products. She has served an expert role numerous projects related to consumer product stewardship, indoor air quality, and toxic tort matters, which include testifying at deposition and trial.

With regard to Prop 65, she has conducted over 100 product assessments, including designing exposure studies, for a variety of consumer products for metals, phthalates, bisphenols, PFAS, and more. Environmental Policy fellow from the Princeton School of Public and International Affairs.

### **Hazel Ocampo**

Shareholder, Greenberg Traurig

Hazel Ocampo is an Environmental, Natural Resources, and Land Use attorney, guiding clients through the intricacies of federal, state, and local regulations including the Clean Air Act, the Clean Water Act, CEQA, Superfund, RCRA, the Endangered Species Act, and

When to Test Your New Product

California's Proposition 65.

Hazel regularly conducts audits and defends companies subject to government agency investigations and enforcement regarding alleged violations of environmental regulations. Specifically, Hazel handles administrative enforcement actions before the U.S. Department of Justice, the Environmental Protection Agency, the Regional Water Quality Control Boards, the Department of Toxic Substances Control, the Department of Environmental Health, and the Air Pollution Control District. She also advises clients on a variety of compliance matters, renewable energy, real estate due diligence (Phase I/Phase II), and universal and hazardous waste regulations.

Hazel has represented a variety of industrial operators, including national telecommunications companies, aeronautic manufacturers, vehicle manufacturers, metal recyclers, food processors, and dry cleaners in cases involving air emissions, vapor intrusion, contaminated groundwater, surface water and soil.

Prior to entering private practice, Hazel worked for the White House Council on Environmental Quality (CEQ) where she assisted with the implementation of the National Environmental Policy Act (NEPA). Prior to that, she was selected for the prestigious Executive Fellowship in the California Environmental Protection Agency (Cal/EPA). While with Cal/EPA, she handled matters relating to water and soil contamination and automotive issues for the Schwarzenegger Administration.

## **Rick Rothman**

Partner, Morgan Lewis

Rick has experience counseling clients in a number of different contexts, including threatened enforcement actions, variance requests, permitting and appeals, transactional diligence reviews, and meeting state and federal reporting requirements and warning requirements.

Rick's litigation practice involves the representation of clients from large corporations to local agencies in matters before both federal and state courts. He has litigated cases addressing alleged violations of most of the major environmental statutes, as well as cases involving alleged common law violations and injuries arising from exposures to products and chemicals regulated by those statutes.

His recent case load has included Clean Air Act enforcement matters, climate change litigation, Superfund actions, enforcement of waste disposal requirements, Clean Water Act discharges, Proposition 65 enforcement actions, multimedia enforcement actions, and chemical exposure complaints. Rick has worked on greenhouse gas reporting, mitigation, and litigation matters, and is a member of the firm's Climate Change and Sustainability Working Group.

Rick has also applied his environmental knowledge to the appellate context. He has represented clients in both state and federal courts of appeal, including Clean Air Act cases, before the US Court of Appeals for the Ninth Circuit and a Proposition 65 case before the California Court of Appeal, Third Appellate District.

Prior to joining Morgan Lewis, Rick was a partner in the environmental practice of another international law firm, where he served as a practice group leader and office managing partner of the Los Angeles office.

## **Rob Scofield**

Vice President/Principal Toxicologist, GSI

Dr. Scofield is a Senior Principal with GSI Environmental, Inc. and has more than 40 years of experience directing and conducting health risk assessments for product safety as well as environmental remediation and due diligence projects for contaminated land and groundwater sites; and air toxics emissions in the United States and internationally. He also has extensive experience teaching risk assessment, providing risk communication services, and serving as a third-party, neutral reviewer of risk assessments for various government and private parties. He has performed more than 500 exposure estimates in support of Proposition 65 compliance evaluations. These evaluations have included developing and directing exposure testing, submitting products for laboratory testing, and estimating exposures based on the test results. He is often invited to speak on risk assessment in general and on topics related to Proposition 65 in specific. He has taught the "Proposition 65 101" pre-conference course several times.

The sources of emissions for the environmental risk assessments he has performed include uncontrolled sources (e.g., oil well fires, Superfund sites, fugitive dust) and controlled sources (e.g., incinerators and fuel combustion with mitigation

measures, laboratory emissions, ethylene oxide sterilization facilities). The evaluations addressed both criteria air pollutants and other chemical-specific emissions. Depending on the availability of data and regulatory requirements, exposure estimates for these evaluations have been based on modeled emissions and dispersion, measured emissions and ambient air concentrations, or a combination of these approaches. Also depending on the site-specific conditions and regulatory requirements, some risk assessments addressed inhalation only and others included the evaluation of multiple pathways of exposure. Dr Scofield has also helped develop and review chemical-specific exposure limits based on data from toxicology and epidemiology studies.

Dr. Scofield earned a D.Env. in Environmental Science and Engineering and M.P.H. in Environmental Health Management from UCLA. He was a post-doctoral researcher in the Department of Toxicology at UC Davis. He has taught and lectured extensively on risk assessment at universities, for private industries, and for the California Bar Association and the US Navy. He was member of the NRC committee on Natural Attenuation (addressed the issue of vapor migration), the ASTM Standard, Risk Based Corrective Action (RBCA) for Petroleum Release Sites committee, and the ITRC committee on Total Petroleum Hydrocarbons. He was invited by the CalEPA to serve as a peer reviewer of their risk assessment procedures and served as a third-party reviewer for several Department of Defense risk assessments.