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Areas of Practice

- Chemical Regulatory
- Enforcement Defense
- Environment & Natural Resources
- Food & Dietary Supplements
- Food Contact Materials & Food Regulation
- Nanotechnologies
- NEPA Infrastructure Projects
- Pesticides & Antimicrobials
- US Chemical Regulatory
- US/EU Environment & Life Sciences
- Water

Education

SMU Dedman School of Law, J.D., *cum laude*, 1985, Notes & Comments Editor, *Southwestern Law Journal*, Order of the Coif

Texas Christian University, B.S., *magna cum laude*, 1979

Judicial Clerkships

Hon. Will Garwood, US Court of Appeals for the Fifth Circuit 1985-1986

Sara Beth Watson

Sara Beth Watson is of counsel in the Washington office of Steptoe & Johnson LLP, where she focuses on environmental, chemical regulatory, and occupational safety litigation and compliance counseling, including the integration of various regulatory requirements into a comprehensive compliance strategy for the regulated entity.

Practice Overview

Ms. Watson has provided compliance counseling to companies from small entrepreneurs to multi-national corporations and trade associations regarding the Toxic Substances Control Act (TSCA), the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Emergency Planning and Community Right to Know Act (EPCRTKA), the Clean Air Act (CAA), the Clean Water Act (CWA), the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the National Environmental Policy Act (NEPA), the Occupational Safety and Health Act (OSHA), the Federal Food Drug and Cosmetic Act (FFDCA), the Chemical Facility Anti-Terrorism Standards (CFATS), the Controlled Substances Act and various state laws such as California's Safe Drinking Water and Toxic Enforcement Act (Proposition 65). Her work includes negotiations with federal and state agencies, administrative and federal court litigation and development of corporate and facility-specific compliance strategies. Ms. Watson has assisted corporations in the evaluation of regulatory compliance and potential environmental liabilities related to corporate acquisitions and divestitures. In addition, Ms. Watson has prepared comments on proposed regulations and made presentations to federal and state agencies on behalf of companies and trade associations.

Chemical and Pesticide Regulation

In the area of toxic substances, Ms. Watson has counseled clients on TSCA compliance strategies, defended TSCA enforcement actions, and counseled clients on various import and exports issues under TSCA, FIFRA and the Chemical Weapons Convention. She has advised chemical facilities on various aspects of CFATS such as facility registration, Security Vulnerability Assessment, and Site Security Plan. Ms. Watson also has advised clients on various compliance issues related to EPCRTKA and California's Proposition 65.

Ms. Watson has assisted companies with all phases of pesticide registration and re-registration including data development and data compensation. She has successfully negotiated with EPA regarding the threatened suspension of pesticide registrations and stop sale orders. She also routinely works with various state pesticide regulatory agencies including the California Department of Pesticide Regulation. Ms. Watson represents individual pesticide registrants and trade associations in matters related to registration, manufacture, labeling, packaging, transportation and marketing of pesticides and other regulated chemicals, including the impact of state laws. In addition, Ms. Watson has

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Bar & Court Admissions

District of Columbia

Texas

US District Court for the
District of Columbia

assisted clients in addressing hazardous waste issues related to pesticide manufacturing and use.

Ms. Watson also has worked with clients to comply with various regulatory requirements for studies involving human subjects including protocol development, informed consent and institutional review board and regulatory review.

Food, Dietary Supplements, Medical Devices, Drugs, and Controlled Substances

Ms. Watson has provided compliance assistance to companies regarding the Food and Drug Administration (FDA) regulation of drug excipients, medical devices, direct and indirect food additives, and dietary supplements, as well as FDA and US Department of Agriculture food package labeling regulations. She also has provided compliance assistance regarding regulation of controlled substances by the US Drug Enforcement Administration including reverse distribution and destruction of controlled substances. She also advises clients on pharmacy registration and distribution regulations.

Hazardous Waste Regulation and Site Remediation

In the area of hazardous waste, Ms. Watson has assisted clients in evaluating the application of RCRA to various situations, developed compliance strategies and negotiated with regulators regarding various enforcement matters. She has negotiated Administrative Consent Orders regarding remediation under RCRA and has participated in actions regarding hazardous waste identifications. She also has assisted company environmental managers in developing and implementing RCRA audit and compliance procedures. In the CERCLA area, Ms. Watson has been involved with investigation, allocation and remediation issues at a variety of sites ranging from multi-party disposal sites to operating production facilities. Ms. Watson has served as court-appointed third-party liaison counsel in a CERCLA enforcement and recovery action involving more than 200 parties and as counsel to a group of de minimis parties, who obtained one of the early de minimis settlements in USEPA Region 2.

Transactions and Facility Siting

In the transaction area, Ms. Watson has provided advice on environmental issues and potential risks to a wide range of clients on transactions including real property acquisition, asset purchases, mergers, and other acquisitions. She also has worked with corporate and tax counsels to develop corporate structures that best serve the needs of new entities. She has assisted clients with NEPA and SEPA compliance issues related to federal and state permitting of linear projects, such as railroads, and with facility siting. She also has assisted clients with Section 404 permitting issues and historic property (cultural resources) issues.

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Ms. Watson recently served as a resource member to the EPA's negotiated rulemaking on All Appropriate Inquiry on behalf of the ABA Section of Environment, Energy and Resources (SEER). She also was an advisor/observer to the Uniform Environmental Covenants Act drafting committee.

Worker Protection Issues

Ms. Watson has developed OSHA compliance strategies and citations response strategies including negotiations with Area Administrators, Regional Department of Labor solicitors, and Department of Labor headquarters officials. She also has defended companies in administrative hearings. Her experience in the OSHA area includes chemical exposure issues and mechanical issues. She also has worked with companies on integrating compliance programs that address federal OSHA and state issues such as California's Proposition 65. In addition, she has assisted clients in the development of worker health and safety studies and their submission to and use by regulatory agencies.

Noteworthy

- Ms. Watson has written and lectured extensively in the areas of transactions, chemical regulation, hazardous substances, worker exposure, and ethics in environmental issues.
- Listed in *Who's Who Legal* for Environment (2009-2011)
- *EuroMoney's* Expert Guide to the World's Leading Women in Business Law (2010)

Select Seminars & Events

Sara Beth Watson Panelist in the 3rd Environmental Deal-Breakers Webinar, April 14, 2010, *Real Estate and Business Transactions — Best Practices: Dealing with Environmental Issues in Real Estate*

Sara Beth Watson in ABA Teleconference on EPA's 'All Appropriate Inquiries' Final Rule, November 16, 2005

Sara Beth Watson on Waste Streams Panel, February 22, 2005

Can I Really Get Liability Relief from the 2002 Brownfield Amendments and What is UECA?, March 12, 2004, *33rd Conference on Environmental Law*

Environmental Due Diligence: State of the Art of Negotiating Environmental Issues in Energy Industry Purchase and Sales Agreements, February 20, 2004, *35th Annual Program on Oil and Gas Law, Institute for Energy Law*

Sara Beth Watson Speaks at Energy Security Conference, February 19, 2004

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Selected Publications

FDA Regulation of Nanotechnology
Chapter 5: Dietary Supplements
February 2012

Environmental Issues in Business Transactions
The Toxic Substances Control Act and Business Transactions
Chapter 7
2011

EPA Issues the Final Chemical Data Reporting Rule
August 11, 2011

Where Is “Agronanotechnology” Heading in the United States and European Union?
Volume 26, Number 1
Summer 2011, *Natural Resources & Environment*

Environmental Analyst: Update on FIFRA and NPDES Issues
March 4, 2011

Environmental Analyst: Congress Considers Relief for Pesticide Application Into or Near Navigable Waters
March 2, 2011

Environmental Analyst: FTC Issues Revised Guidelines for Environmental Marketing Claims
December 7, 2010

Food Safety Act Advisory: House Passes New Food Safety Legislation
August 3, 2009

Professional Affiliations

American Bar Association

Section of Environment, Energy and Resources Council (2003-2006); Chair, Environmental Transactions Audits and Brownfield Committee (2000-2002); Co-Chair, RCRC/CERCLA Update (1998-1999)