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Professional Profile

Dr. Brent Finley is a board-certified toxicologist with 20 years of experience conducting and managing studies involving chemical exposures and human health risk assessment. He specializes in applied research, litigation support, regulatory negotiations, and risk-based site investigations. Dr. Finley has studied the health effects of exposure to a wide range of chemicals, including asbestos, petroleum-based products, chlorinated solvents, chromium, dioxins, and PCBs. He has provided expert witness testimony in lawsuits involving alleged health risks associated with exposures to asbestos in friction products, airborne chemicals from incinerator emissions, chlorinated solvents in groundwater, and chromium in tapwater. Dr. Finley has been involved in the preparation of more than 400 risk assessments, has published over 25 papers in the last five years, and has been an invited speaker at numerous technical seminars.

Before joining ChemRisk, Dr. Finley was the Director of Exponent's Human Health Risk Assessment practice (staff of 35) for six years. Prior to this, Dr. Finley was a staff toxicologist with Amoco Corporation. Dr. Finley's responsibilities at Amoco included the preparation of warning language for Amoco's fibers and resins product lines.

Education and Degrees Earned

Ph.D., Toxicology/Pharmacology, Washington State University, 1986
B.A., Biological Sciences, Cornell University, 1982

Certifications

Diplomate, American Board of Toxicology (1991); re-certified in 1996, 2001 and 2007

Professional Honors/Awards

Recipient of Society of Toxicology's "Outstanding Published Paper Award" (1995)
Recipient of Society of Toxicology's "Graduate Student Best Paper" Award, 3rd place (1985)
Recipient of Pharmaceutical Manufacturer's Association Research Grant (1982)

Professional Experience

Specific Experience with Benzene

Served as an expert in exposure and risk assessment in a case involving exposure to benzene in coal tar pitch volatiles in roofing tar

On behalf of a pipeline manufacturer, evaluated health claims related to household exposure to benzene vapors following an underground leak

Deposed in a case involving alleged exposures to benzene in a degreasing solvent

Conducted over 30 environmental risk assessments in which benzene in groundwater was a significant contributor to potential human health risks

Served as expert witness for Oryx Energy in a case involving property damage/health harm from a groundwater benzene plume

Specific Experience with Groundwater Risk Assessment

Involved in several cases (Aerojet, CNH) wherein current and historical residential exposure to chlorinated solvents in groundwater and tapwater is alleged. These cases involve exposure and dose reconstruction (tapwater ingestion and inhalation and dermal exposures during showering) using measured and modeled data and conclusions concerning alternative causation.

Assessed exposure to Cr(VI) in groundwater via the use of simulation studies (all subsequently published in the peer-reviewed literature) and served as a testifying expert in a case involving numerous plaintiffs in Hinkley, CA

Testified in a hearing regarding the adequacy of several atrazine databases for use in health risk assessment.

Specific Experience with Asbestos

Serving as a consultant and expert witness in a series of cases involving alleged exposure to asbestos in welding rods, joint compound and automotive and crane brake linings, clutches, and gaskets

Deposed in a premise case involving bystander exposure to asbestos-containing insulation

Published eight papers in the peer-reviewed literature pertaining to asbestos exposure, warnings, and health risks from a state-of-the art perspective

Specific Experience with Chlorinated VOCs

Deposed as an expert witness in a toxic tort case involving alleged exposure to numerous chlorinated solvents (TCE, TCA, and CCl₄) in groundwater (Comeaux v. Conde Vista). Dr. Finley reviewed the existing groundwater and soil gas data and determined, based on site-specific vapor migration modeling and an evaluation of household exposure pathways, that any inhalation exposure to chlorinated solvents that might have occurred was insufficient to cause the plaintiff's claimed health effects.

Assisted defense counsel in litigation involving alleged residential TCE exposure in the 1950s and 1960s (Stuart v. Lockheed).

Served as a panel member for the International Life Sciences Institute Working Group on estimation of dermal and inhalation exposure to chlorinated contaminants (TCE, TCA, perchloroethylene) in drinking water

Chaired an expert panel review of EPA's inhalation toxicity criteria for 1,2-dichloroethane and 1,1,2-trichloroethane

Conducted and published a probabilistic analysis of household exposure to TCE and perchloroethylene in tapwater to demonstrate the health protectiveness of the EPA's MCLs

Specific Experience with Pharmaceuticals, Medical Devices, and Consumer Products

Currently serving as an expert witness in exposure assessment, industrial hygiene, and toxicology in cases involving popcorn worker exposure to diacetyl and artificial butter

Evaluated the metabolic and toxicity results (from animal and clinical data) of Levaquin and Ofloxacin to determine whether and to what degree the two drugs confer a different therapeutic index

Consulted in personal injury lawsuits involving healthcare worker use of latex gloves and associated claims of dermal sensitization

Prepared an expert report regarding likelihood of association between use of rug cleaner and plaintiff's alleged symptoms of RADS

Prepared a report and manuscript describing the possible health risks associated with exposure to rubber tire particles in the environment

Served as an expert exposure and risk assessment expert in a case involving formaldehyde emissions from kitchen cabinets

Deposed in a case involving claims of health harm associated with exposure to airbag contents (azide and talc) following airbag deployment and failure

Conducted an analysis of health risks associated with exposure to lead in detailing paint that contained up to 30% lead

Specific Experience with Warnings, Labels, and State-of-the-Art Analyses

Served as a state-of-the-art expert in warnings and labels in cases involving worker exposure to “draw fluids” during automobile manufacture

Assessed whether the manufacture of a petroleum solvent “had knowledge” that the use of the solvent might be associated with exposure to significant levels of benzene

Assisted counsel in determining whether labels and warnings on a lead-containing paint were adequate and appropriate under Proposition 65

Serving as a state-of-the-art expert in warnings and labels in cases involving worker exposure to asbestos during brake servicing

Specific Experience with Stack Emissions

Prepared a multipathway exposure and risk assessment for the U.S. Army chemical weapons incinerator in Tooele, Utah. The purpose of the analysis was to assess the merits of an injunction filed by a plaintiff’s consortium that operation of the incinerator of the incinerator would pose a risk to surrounding residents. Testified twice in court, on behalf of the Department of Justice. The judge’s decision to permit the incinerator to operate was based in part on Dr. Finley’s findings and testimony.

Served as an expert exposure and risk assessment expert in a case involving community exposures to particulate emissions from a steel-manufacturing facility

Prepared a multipathway assessment of the health risks associated with emissions of dioxin particulates and vapors from a combustion source. The State of California had previously determined that the dioxin risks were significant and that the client would have to warn the surrounding residential community. Used refined risk assessment techniques to demonstrate that the potential health risks were insignificant. Exposure pathways considered included ingestion of mother’s milk, vegetable crops, and local meat and dairy products.

Prepared a multipathway exposure and risk assessment for a state Superfund site in Illinois. The assessment demonstrated that particulate emissions from a client’s insecticide-formulating facility did not pose a significant health risk to the surrounding community. Accordingly, the Illinois EPA issued a no-action alternative for the site, and no remediation was required.

Specific Experience with Dioxins and PCBs

Expert witness in a case concerning alleged “recreational” exposures to Aroclor 1254 in soil at a former capacitor manufacturing site

Involved in research with EPA and WHO scientists to refine the current TEF scheme for dioxin and PCB risk assessment.

Conducted (and published) a human exposure study designed to assess the degree to which naturally occurring dietary compounds (“endodioxins”) contribute to the overall TEQ dose in the general population

Conducted (and published) the first soil bioavailability study to examine all 17 2,3,7,8-substituted PCDD/Fs

Evaluated dioxin levels in the blood of workers employed at magnesium facility in Utah

Served as principal-in-charge of a Superfund project involving dioxin- and PCB-contaminated sediments in a major waterway in New Jersey. This project involves the use of fingerprinting techniques for source identification, food-web modeling, and defense against natural resource damage claims. Dr. Finley has published over 25 papers regarding the proper use of exposure and risk assessment techniques for this site. Designed the first sediment toxicity study conducted to demonstrate that dioxin poses no risk to benthic invertebrates.

Assisted in the development, conduct and interpretation of a year-long creel-angler survey designed to accurately estimate the fish and crab consumption rates (and associated risks) in a PCB-contaminated waterway

Conducted (and published) an analysis of human and ecological risks associated with suspension of dioxin-contaminated sediments as a result of dredging

Invited to speak at an EPA external peer-review workshop for the guidance document PCBs: Cancer Dose Response Assessment and Application to Environmental Mixtures.

Evaluated PCB-related risks to anglers consuming fish from the Fox River, Wisconsin

Specific Experience with Chromium

Designed and conducted the first human sweat extraction study for the purposes of measuring bioavailability of chromium from soil

Organized and chaired an expert panel investigation into the technical merits of New Jersey Department of Health’s urinalysis and house dust analysis of residents living near chromium-impacted areas

Served as principal-in-charge of an industry-funded investigation into OSHA's basis for lowering the permissible exposure limit for chromium (VI)

Served as an expert exposure and risk assessment witness in a toxic tort case involving residential exposure to chromium emissions from a former plating facility in Southern California

Managed a complex assessment of the health risks associated with chromium-contaminated soil at more than 100 sites in New Jersey. This assessment entailed the development of new sampling and analytical techniques for ambient chromium concentrations, design and implementation of several human exposure studies, and extensive regulatory negotiations with the New Jersey Department of Environmental Protection.

Conducted a \$2M human patch-testing study for the purposes of identifying the dermatitis elicitation threshold for chromium. This study was used to demonstrate that the Agency's initial position on dermatitis-based cleanup standards was seriously flawed.

Invited to speak at an EPA Workgroup session on chromium reference doses regarding proposed methods for setting a chromium (III) reference dose

Prepared and submitted comments to EPA's proposed inhalation "reference concentrations" for chromium. As a result of the submitted comments, EPA withdrew the proposed values. Invited to serve on an EPA work group to evaluate better methods for setting these criteria.

Specific Experience with Pathogens

Designed a sampling analysis program for combined sewer overflows (CSOs) in the Passaic River. The purpose of the program is to conduct a pathogen risk assessment for recreationists who come in contact with the surface water of the River. Several samples have been collected during storm events and the bacterial/viral content of the samples is currently being interpreted to develop estimates of increased risk of various diseases.

Interpreted pathogen content of tapwater samples following plaintiff's assertion that ingestion had caused an array of autoimmune diseases.

Deposed as an exposure and risk assessment expert in EPA et al v. City of Los Angeles. The EPA alleged that uncontrolled sewage spills had impacted Santa Monica Bay to such a degree that beach recreators were at great risk of developing pathogen-related diseases. Dr. Finley reviewed the monitoring data and developed a pathogen exposure and risk analysis.

Specific Experience with Creosote, PAHs, Coal Tar, and Wood-treating Sites

Deposed as an expert exposure and risk assessment witness in a federal case involving creosote and pentachlorophenol production at a former wood-treating site in St. Louis

Currently serving as an exposure and risk assessment expert in a case involving community allegations of health effects from historical exposures to emissions from a wood-treating facility in Louisiana

Served on an expert panel that evaluated the health risks associated with creosote and coal tar-containing products; the panel concluded that the toxicology and epidemiology data do not support a conclusion that these substances are carcinogenic in humans

On behalf of a creosote manufacturer, helped determine “background” levels of PAH exposure in a community (from diet, etc.) vs. PAH exposures associated with trace creosote levels in residential soils

Conducted over 50 environmental risk assessments (RCRA, CERCLA, RBCA, etc.) in which PAHs in soils were the primary contributor to potential human health risk; a majority of these involved derivation of site-specific soil standards using state-of-the-art exposure assessment techniques. Approximately half of these projects involved regulatory interaction.

Specific Experience with Industrial Slags

Served as principal-in-charge of a risk assessment involving residential exposure to arsenic-containing industrial slag

Designed and conducted a human exposure study (involving the direct ingestion of soil) for the purposes of assessing the disposition of a priority pollutant metal in an industrial slag

Served as principal-in-charge of an ongoing evaluation of the public health risk associated with numerous beneficial uses of steel slag

Other Projects

Evaluated risks associated with ingestion of fish and shellfish from San Diego Harbor

Demonstrated that post-remedial concentrations of mercury in soil at an industrial site in Puerto Rico did not pose a significant health risk to individuals working on the property. EPA Region II then formally closed the site with no further remediation required.

Prepared an avian health risk assessment at a state Superfund site. The assessment, involved collection and analysis of live and dead birds for cyclodiene content.

Managed two ecological impact studies in Melbourne, Australia

Served as principal-in-charge of four separate RCRA risk assessments involving more than 400 solid waste management units

On behalf of a former toxaphene manufacturer, conducted an analysis of toxaphene-related risks to humans consuming fish in a waterway in Georgia

Publications

Kreider, M.L., J.M. Panko, B.L. McAtee, L.I. Sweet, B. L. Finley. 2010. Physical and chemical characterization of tire-related particles: Comparison of particles generated using different methodologies. *Sci Total Environ.* 408(3):652-59.

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Finley, B.L., D.A. Galbraith, and D. Weill. 2008. Comments on respiratory toxicity of diacetyl [Re: Morgan, D. L., Flake, G. P., Kirby, P. J., and Palmer, S. M. Respiratory toxicity of diacetyl in C57Bl/6 mice. *Toxicol. Sci.* 103, 169-180]. *Toxicol Sci.* 105(2):429-32.

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Donovan, E.P., D.F. Staskal, K.M. Unice, J.D. Roberts, L.C. Haws, B.L. Finley, and M.A. Harris. 2008. Risk of gastrointestinal disease associated with exposure to pathogens in the sediments of the lower Passaic River. *Appl Environ Microbiol.* 74(4):1004-1018.

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Santamaria, A.B., C.A. Cushing, J.M. Antonini, B.L. Finley, and F.S. Mowat. 2007. State-of-the-science-review: does manganese exposure during welding pose a neurological risk? *J Toxicol Environ Health B.* 10:417-465.

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Haws, L.C., S.H. Su, M. Harris, M.J. Devito, N.J. Walker, W.H. Farland, B. Finley, and L.S. Birnbaum. 2006. Development of a refined database of mammalian relative potency estimates for dioxin-like compounds. *Toxicol Sci.* 89(1):4-30.

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