**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

**CERTIFIED MAIL**
**RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER**
**REQUIRES PROMPT RESPONSE**

FEB 2 0 2013

Leonard Sarapas, Corporate Director Environment, Health and Safety
Boston Scientific Corporation
100 Boston Scientific Way
Marlboro, MA 01752

Re: Clean Air Act Testing Order for Ethylene Oxide Sterilizers in Coventry, Rhode Island

Dear Mr. Sarapas:

The United States Environmental Protection Agency ("EPA") is evaluating whether Boston Scientific Corporation ("BSC") located at 8 Industrial Drive, Coventry, Rhode Island is in compliance with the Clean Air Act ("the Act") and state and federal regulations promulgated under the Act, in particular the Ethylene Oxide Emission Standards for Sterilization Facilities found at 40 CFR Part 63, Subpart O.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Clean Air Act.

This Testing Order requires BSC to provide the information and take the steps outlined below within the number of days specified in each paragraph.

1. Within 30 days of the date of receipt, contact EPA's William Osbahr at (617) 918-8389 to schedule a pre-test conference and a testing date. At the pre-test conference, EPA will review the various sampling, monitoring, testing, and analysis locations, procedures, and methods to be followed in conducting performance testing of the ethylene oxide sterilizer facilities at your Coventry location.

2. Within 30 days of the date of receipt, prepare and mail to EPA a pre-test protocol. The protocol shall be based on the applicable methods described in 40 CFR Sections 63.7 and 63.365. It should also incorporate applicable methods described in Appendix A to Part 63, Method 301: Field Validation of Pollutant Measurement Methods from Various Waste Media (for the purposes of validating the refractometer used to measure ethylene glycol concentrations in the wet scrubber).

3. Within 60 days of the date of receipt, revise and resubmit the emissions testing protocol in accordance with any EPA written comments or required changes. EPA shall approve, approve with conditions, or disapprove the emissions testing protocol in writing.

4. Within 90 days of the date of receipt, BSC shall complete emissions testing in accordance with the approved emissions testing protocol.

5. Within 45 days of completing emissions testing, BSC shall submit a complete test report to EPA.

Mail the submissions required by this letter to:

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| Susan Studlien, Director<br>Office of Environmental Stewardship<br>Attn: Darren Fortescue<br>US EPA Region 1<br>5 Post Office Square, Suite 100<br>Mail Code: OES-04-2<br>Boston, MA 02109-3912 | William Osbahr<br>US EPA Region 1<br>11 Technology Drive<br>Mail Code: EIA<br>North Chelmsford, MA<br>01863-2431 | Ted Burns<br>Rhode Island Department<br>of Environmental<br>Management<br>235 Promenade Street<br>Providence, RI 02908-5767 |

Be aware that if BSC does not provide the information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emission data, are not properly the subject of such a claim. If no such claim accompanies the information when EPA receives it, EPA may make the information available to the public without further notice to you.

If you have any questions regarding this Testing Order, please contact Darren Fortescue, Environmental Engineer, at (617) 918-1162, or have your attorney call Thomas T. Olivier, Senior Enforcement Counsel at (617) 918-1737.

Sincerely,

Dan Silverman, acting for

Susan Studlien, Director
Office of Environmental Stewardship

cc: Ted Burns, RI DEM
Doug McVay, RI DEM
Scott Throwe, US EPA
William Osbahr, US EPA