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May 4, 2021

Via Email and U.S. Mail
Regional Administrator Diana Esher
U.S. Environmental Protection Agency
Office of the Regional Administrator, Region 3
1650 Arch Street
Philadelphia, Pennsylvania 19103
Esher.Diana@epa.gov

Re: B. Braun's Ethylene Oxide Emissions

Dear Regional Administrator Esher:

I write to bring your attention to a safety and public health hazard.

This firm represents numerous people—and their families—who have been diagnosed with cancer. These individuals have lived and worked in or nearby medical-device company B. Braun's plant at 901 Marcon Boulevard in Allentown. Some have died from their cancer, while others are still alive and battling their disease at various stages. All of these people share at least one thing in common: they acquired cancer from breathing in the ethylene oxide ("EtO") B. Braun has been emitting, in massive amounts, for years.

EtO is a known human carcinogen. This has been common knowledge for decades. Over twenty years ago, in 1994, the World Health Organization ("WHO") classified EtO as a Group 1 carcinogen—the highest risk group—meaning it is known to be carcinogenic to humans. In 2000, the U.S. Department of Health and Human Services classified EtO as known to be a human carcinogen. EtO is also toxic and mutagenic, meaning it is damaging to human DNA. EtO is highly reactive and is easily absorbed by the human body through inhalation into the lungs. Due to B. Braun's dangerously high EtO emissions, individuals, including those this firm represents, have acquired risks of developing cancer that the U.S. Environmental Protection Agency ("EPA") deems unacceptable.

As you may be aware, emissions data from recent years revealed that there are 109 census tracts in the United States with cancer risk scores higher than what the EPA deems "acceptable." Seventeen of these 109 census tracts—meaning 15% of them—are in areas that immediately surround B. Braun's Allentown plant. In other words, 15% of all of the census tracts in the United States that have unacceptable cancer risk scores are situated in areas immediately surrounding B. Braun's plant.

Based on available data regarding B. Braun's EtO emissions, B. Braun has consistently emitted thousands of pounds of EtO from its Allentown plant. In 2009 alone, B. Braun emitted over 8,000 pounds of EtO. From 2014 through 2018, B. Braun emitted 6,880 pounds, 7,600 pounds, 6,366 pounds, 5,900 pounds, and 4,664 pounds of EtO, respectively. To put these EtO emissions into context, St. Luke's University Health Network is the Lehigh Valley's only other EtO emitter (aside from B. Braun). In 2014, St. Luke's released 17 pounds of EtO from its Fountain Hill hospital, as compared to B. Braun's 6,880 pounds of EtO emitted that year. B. Braun emitted forty times (or 4,000%) as much EtO as the next highest EtO emitter in Pennsylvania did in 2014.

B. Braun's failures to use reasonable care in their EtO emissions have caused the cancer of numerous people. Some of these people have died as a result. B. Braun's failure to use reasonable care and limit or eliminate their EtO emissions may cause additional people to develop cancer and die. This must be remedied immediately. The remediation can all be done without closing B. Braun's Allentown plant. For one, there are methods of sterilization—other than EtO—than can be utilized. Additionally, there are devices and equipment available to B. Braun that can eliminate or substantially reduce the EtO emissions coming from B. Braun's Allentown plant.

Please feel free to contact me if you have any questions or concerns.

Very truly yours,

SHANIN SPECTER, ESQ.
THOMAS E. BOSWORTH, ESQ.