

HENRY C. "HANK" JOHNSON, JR.
4TH DISTRICT, GEORGIA

COMMITTEES:

JUDICIARY

TRANSPORTATION AND INFRASTRUCTURE

SENIOR WHIP

REGION VIII WHIP

Congress of the
United States
House of Representatives
Washington, DC 20515-1004

SUBCOMMITTEES:
CHAIRMAN
COURTS, INTELLECTUAL PROPERTY, AND
THE INTERNET
ANTITRUST, COMMERCIAL, AND
ADMINISTRATIVE LAW
HIGHWAYS AND TRANSIT
AVIATION
ECONOMIC DEVELOPMENT, PUBLIC
BUILDINGS, AND EMERGENCY MANAGEMENT

Director Richard Dunn
Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King, Jr. Dr.
Suite 1456, East Tower
Atlanta, GA 30334

August 9, 2019

Director Dunn,

I write to express my concerns regarding commercial ethylene oxide emissions and the public health risk they present. I request the Georgia Environmental Protection Division (EPD) respond to my questions below within 30 days, detailing their plans to mitigate exposure to ethylene oxide and to prevent further harm caused by emissions.

Ethylene oxide is a colorless, odorless chemical that the Environmental Protection Agency (EPA) has officially classified as a carcinogenic.¹ It is most frequently used to sterilize medical devices and produces a cancer-causing gas emission that pollutes the air, threatening families, neighborhoods, and communities surrounding commercial plants.

In December 2016, the EPA published the results of a 10-year study officially classifying ethylene oxide as a harmful carcinogenic air pollutant. It concluded that humans exposed to ethylene oxide for long periods are at increased risk of contracting leukemia, lymphoma, and breast cancers.²

The National Air Toxics Assessment indicated census tracts where airborne toxins, like ethylene oxide, contribute to higher rates of cancer.³ This study stipulated that *half a million people* live in tracts with identifiable increased cancer rates, largely due to ethylene oxide. Three Georgia census tracts were identified, including a town in Covington — part of the 4th District of Georgia, where ethylene oxide concentration is 17 to 97 times higher than the state's acceptable area concentration (AAC).⁴

¹ *Background Information on Ethylene Oxide*, United States Environmental Protection Agency (last updated February 27, 2019), <https://www.epa.gov/hazardous-air-pollutants-ethylene-oxide/background-information-ethylene-oxide#risks>

² *Id.*

³ *Supra* note 1.

⁴ Brenda Goodman and Andy Miller, *Residents Unaware of Cancer-Causing Toxin in Air*, WebMD Health News, (July 19, 2019), <https://www.webmd.com/cancer/news/20190719/residents-unaware-of-cancer-causing-toxin-in-air>

In its mission statement, the Georgia EPD commits itself to proactively protecting human health and the environment. It also states that public involvement, consultation, and collaboration are vital to its mission. Despite these serious concerns, and in direct conflict with their stated mission, the Georgia EPD failed to alert citizens of the dangerous toxins in the air or notify them of the carcinogenic emissions. In fact, the Chief Air Pollutant officer at the Georgia Environmental Protection Division, (EDP) Karen Hays, said the department has no current plans to test the air quality surrounding the plant. In the wake of Georgia EPD's response to this crisis, I request answers to the following questions.

- Will you commit to creating a specific health investigation of the Georgia communities that are at risk?
- Why did your department decide to not pursue further testing of the air in affected communities?
- According to the 2014 National Air Toxics Assessment study, the Covington area experiences 214 cases of cancer per million people exposed. Officially, the EPA considers the cancer risk from pollution unacceptable when it exceeds 100 cases per every million people. In the face of this data, how could the EPD consider the ethylene oxide emissions safe and permit their continued release into the air?
- Will you partner with the Agency for Toxic Substances and Disease Registry at the Center for Disease Control in Georgia to monitor the ambient air quality in Covington, analyze the increased health risks, and develop methods of mitigating risks for the affected communities?
- Do you intend to maintain the permit, which currently allows Becton Dickinson to emit a toxic carcinogenic?
- Do you plan to implement new, stricter standards to reduce carcinogenic air pollutants, specifically ethylene oxide?

As a Member of Congress, I prioritize the safety of my constituents. My district is directly affected by the release of toxic cancer-causing levels of ethylene oxide, and I am committed to ensuring that the mistakes made here are not further perpetuated. I request a response to these questions within thirty days and thank you for your attention to these pressing issues.

Sincerely,

A handwritten signature in blue ink that reads "Hank Johnson". The signature is written in a cursive, flowing style.

Henry C. "Hank" Johnson, Jr.
Member of Congress