



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

Air Protection Branch

4244 International Parkway

Suite 120

Atlanta, Georgia 30354

404-363-7000

December 20, 2019

Via Electronic Transmission

Ms. Ellen Kondracki
Becton, Dickinson and Company
Vice President, Sustainability and
Environment, Health and Safety

RE: Global Distribution Center, Covington. Georgia

Dear Ms. Kondracki:

The Division has received your December 20, 2019 response letter to the December 18, 2019 Notice of Violation (NOV) regarding the Becton, Dickinson and Company (BD) Global Distribution Center (GDC), which agreed to the terms outlined by the Division.

In addition, today BD has informed the Division for the first time of a second warehouse in Newton County of approximately 40,000 square feet where BD has stored sterilized product since May 2019. This warehouse was not included in your December 15th report. BD will conduct 24 hours of air monitoring at this warehouse December 20th-21st and then, after monitoring is complete, will remove all product from this warehouse no later than 5 pm on December 23, 2019. BD will provide to the Division the results of the air monitoring within 1 business day of BD's receipt of that information to be followed by a report from BD assessing those results within 30 days thereafter.

As you are aware, failure to include information regarding this warehouse in your December 15th submittal is a violation of the judicial consent order. The Division will evaluate this monitoring information to determine whether BD was also in violation of Subparagraph 391-3-1-.03(2)(a) of the Georgia Rules for operating this warehouse without a permit.

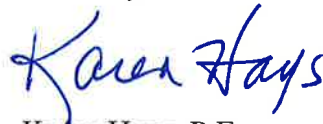
We anticipate receiving your permit application for the GDC on or before February 3, 2020. As indicated in your letter BD has agreed to cease receiving product sterilized using ethylene oxide at the GDC between 5 pm on December 23, 2019 and midnight January 6, 2020. This stoppage will reduce the amount of product sterilized with ethylene oxide in the GDC and give the Division time to review the materials outlined in our NOV to be submitted on December 23rd. BD and EPD will work on a plan to reduce ethylene oxide emissions from the GDC until the Division can issue a permit to BD that includes appropriate controls. We will memorialize that plan in a requested amendment to the October 28, 2019 judicial consent order. EPD anticipates that the requested amendment will also address your violation of

condition #10 in the judicial consent order described above and include a proposed penalty to be assessed against BD.

The Division expects your cooperation in development of a plan that will provide for the continued protection of public health, safety and welfare and of the environment. If the Division and BD are unable to resolve this matter in a manner satisfactory to the Division, the Division will assess whether further enforcement action is warranted, including but not limited to moving for contempt of the judicial consent order.

If you have any questions or comments concerning this letter, please contact me at 404-363-7016 or karen.hays@dnr.ga.gov or Mr. Dika Kuoh at 404-363-7115 or dika.kuoh@dnr.ga.gov.

Sincerely,



Karen Hays, P.E.

Chief

Air Protection Branch