

Agencies, Plaintiffs Target Ethylene Oxide

“Both the United States Environmental Protection Agency (EPA) and plaintiff’s lawyers have been targeting the chemical ethylene oxide in recent months,” discusses Peter C. Condrón, Andrew D. Kaplan and Bryon R. Brown in Crowell Moring’s ***Alerts & Newsletters***.

“In December 2019, EPA published an advance notice of proposed rulemaking to gather information about the use of ethylene oxide in commercial sterilization and fumigation businesses for future Clean Air Act regulations. One week later, EPA published a proposed rule under the Clean Air Act that would seek to reduce emissions of ethylene oxide from storage tanks, process vents and equipment leaks at manufacturing facilities. These actions followed on the heels of two class action lawsuits filed in a West Virginia federal court on behalf of individuals who lived in the vicinity of two different facilities that manufactured ethylene oxide and, according to the complaint, emitted the chemical into the environment, allegedly causing harm to the plaintiffs. These actions may lead to additional interest in ethylene oxide among plaintiff’s lawyers and state regulators.”

Read the article.