

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Addressee:

MERCY FAIRFIELD HOSPITAL
 MR TOM URBAN CHIEF EXECUTIVE OFFICER
 3000 MACK ROAD
 FAIRFIELD OH 45014

2. Article Number

(Transfer from service label)

7005 0390 0004 9401 8158

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Robert Rader

 Agent Addressee

B. Received by (Printed Name)

Robert Rader

C. Date of Delivery

12-11-06

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

Mail

 Express Mail

id

 Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

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USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

**OEPA SWDO
CATHY ALTMAN DHWM
401 E FIFTH STREET
DAYTON OH 45402**



7046 4000 0004 9401
2005 0390 06ED 5002

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

MAB

Sent To
Mercy Fairfield Hospital Mr. Tom Urban
Street, Apt. No.,
or PO Box No. 3000 MACK Rd. Chief Executive Officer
City, State, ZIP+4
Fairfield OH 45014

PS Form 3800, June 2002

See Reverse for

Certified Mail Provider

- A mailing r...
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.



State of Ohio Environmental Protection Agency

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CA
File

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

December 8, 2008

Certified Mail

Mercy Fairfield Hospital
Mr. Tom Urban
Chief Executive Officer
3000 Mack Road
Fairfield, Ohio 45014

RE: Compliance Evaluation Inspection- Mercy Fairfield Hospital OHD097920672

Dear Mr. Urban:

On December 2, 2008, Ohio EPA conducted a compliance evaluation inspection of Mercy Fairfield Hospital located at 3000 Mack Road, Fairfield, Ohio. The purpose of the inspection was to determine Mercy Fairfield's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). Kristina Odom, Tab Dehner, Joe Luhring, John Bodenstern, and Beth Zimmerman represented Mercy Fairfield. Jeff Smith and I represented the Ohio EPA.

Based on the inspection, Ohio EPA has determined that Mercy Fairfield has violated the following hazardous waste regulations.

- 1. Hazardous waste determination, OAC 3745-52-11:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

Prior to May 2008, Mercy Fairfield did not properly evaluate any pharmaceutical waste to determine if the waste was hazardous. **Therefore, Mercy Fairfield is in violation of OAC 3745-52-11.**

Since May 2008, Mercy Fairfield has implemented a program to evaluate pharmaceutical wastes prior to disposal. **Mercy Fairfield is no longer in violation of OAC 3745-52-11.**

2. **Used oil storage requirements for generators, OAC 3745-279-22(C)(1):** Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

Mercy Fairfield failed to comply with this regulation by not properly labeling the used oil container. **Therefore, Mercy Fairfield is in violation of OAC 3745-279-22(C)(1).**

Mercy Fairfield properly labeled the used oil container during the inspection. **Mercy Fairfield is no longer in violation of OAC 3745-279-22(C)(1).**

3. **Waste management – standards for small quantity handlers of universal waste, OAC 3745-273-13(D)(1):** A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

Mercy Fairfield failed to comply with this regulation by not storing lamps in properly closed containers. **Therefore, Mercy Fairfield is in violation of OAC 3745-273-13(D)(1).**

To return to compliance, properly close all universal waste lamp containers. Please submit to Ohio EPA documentation of the corrected violation.

4. **Labeling/marketing – standards for small quantity handlers of universal waste, OAC 3745-273-14(A) and (E):**

(A) Universal waste batteries (i.e. each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any of the following phrases: "Universal Waste – Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)."

(E) Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

Mercy Fairfield failed to comply with this regulation by not properly labeling universal waste batteries and lamp containers. **Therefore, Mercy Fairfield is in violation of OAC 3745-273-14(A) and (E).**

To return to compliance, properly label all universal waste batteries or battery containers and lamp containers. Please submit to Ohio EPA documentation of the corrected violation.

Please submit all requested documentation to the Ohio EPA within fourteen (14) days of receipt of this letter.

Mr. Tom Urban
December 8, 2008

During the inspection we discussed small quantity generator requirements for hazardous waste along with universal waste lamp and battery regulations. Jeff Smith emailed Mr. Bodenstein and Mr. Luhring links to guidance documents on universal waste lamps and batteries, and also a link to the Hazardous Waste Generator Handbook. You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>

If you have any questions, please call me at (937) 285-6093.

Sincerely,



Cathy L. Altman
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM-SWDO/SWDO File
Kristina Odom, Mercy Fairfield
Paul Casper, Frost Brown Todd, LLC

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

