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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. Article Addressed to:

MERCY CLERMONT HOSPITAL
MR BRAD BERTKE
CHIEF OPERATING OFFICER
3000 HOSPITAL DRIVE
BATAVIA OH 45103

2. Article Number
(Transfer from service label)

7005 0390 0004 9401 8165

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Larry Sanders* Agent Addressee

B. Received by (Printed Name)

LARRY SANDERS

C. Date of Delivery

12/17/08

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

X

Mail

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

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DAYTON OH 45402



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7005 0390 0004 9401 9401
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here
(MAB)

Sent To
Mercy Clermont Hospital Chief Operating Officer
3000 Hospital Drive
Batavia, OH 45103

Certified Mail provides:

- A mailing receipt
- 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

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

CA
File
002

December 15, 2008

Certified Mail

Mercy Clermont Hospital
Mr. Brad Bertke
Chief Operating Officer
3000 Hospital Drive
Batavia, Ohio 45103

**RE: Compliance Evaluation Inspection- Mercy Clermont Hospital
OHD068948983**

Dear Mr. Bertke:

On December 2, 2008, Ohio EPA conducted a compliance evaluation inspection of Mercy Clermont Hospital located at 3000 Hospital Drive, Batavia, Ohio. The purpose of the inspection was to determine Mercy Clermont'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). Michele Whitt represented Mercy Clermont. Jeff Smith and I represented the Ohio EPA.

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

- 1. Labeling/markings - standards for small quantity handlers of universal waste, OAC 3745-273-14(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 Clermont had the universal waste lamps stored in containers that were properly closed and marked with the accumulation start date. However, Mercy Clermont did not properly label the universal waste lamp containers. **Therefore, Mercy Clermont is in violation of OAC 3745-273-14(E).**

On December 9, 2008, Ohio EPA received photo documentation of the properly labeled universal waste lamp containers. **Mercy Clermont is no longer in violation of OAC 3745-273-14(E).**

Mr. Brad Berke
December 15, 2008

During the inspection we discussed the proper handling of nicotine patches and universal waste batteries and lamps. I emailed Ms. Whitt and Donna Branham links to an interpretation letter on nicotine patches and a guidance document on the management of universal wastes. For additional information on the rules and other guidance, please visit 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
Michele Whitt, Mercy Clermont
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.