

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:



MS SHELIA FLOWERS
 MANAGER
 MULLANEYS PHARMACY
 6096 MONTGOMERY ROAD
 CINCINNATI OH 45213

2. Article Number

(Transfer from service label)

7007 0220 0001 2491 7226

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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



OHIO EPA- SWDO
CATHY ALTMAN
401 EAST FIFTH STREET
DAYTON OH 45402 2911



7007 0220 0001 2491 7226

U.S. Postal Service
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

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

Mailed
10-3-07
Postmark
Here
Cathy
Altman

Sent To
S. Flowers Mullaneys Pharmacy
Street, Apt. No.,
or PO Box No. 6096 Montgomery Rd
City, State, ZIP+4
Cinc OH 45213

See Reverse for Instructions

Certified Mail Pieces:

- 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.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047



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

001
-CA
-File

October 2, 2007

CERTIFIED MAIL

Ms. Sheila Flowers
Manager
Mullaney's Pharmacy
6096 Montgomery Road
Cincinnati, Ohio 45213

RE: Complaint Investigation

Dear Ms. Flowers:

Thank you for assisting me during my complaint investigation on September 27, 2007. The complaint alleged improper disposal of fluorescent bulbs by Mullaney's Pharmacy located at 6096 Montgomery Road. During the investigation, it was determined that Mullaney's Pharmacy was disposing of the fluorescent bulbs in the dumpster. Therefore, Mullaney's Pharmacy is in violation of the following Ohio hazardous waste regulation:

1. **Hazardous waste determination, Ohio Administrative Code (OAC) 3745-52-11:** Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste using the following method:
 - (A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code.
 - (B) He must then determine if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code.
 - (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either:

Ms. Sheila Flowers
October 2, 2007

- (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or
- (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

Mullaney's Pharmacy failed to comply with this regulation by not properly evaluating the bulbs prior to disposing of them. Therefore, Mullaney's Pharmacy is in violation of OAC 3745-52-11. To return to compliance, Mullaney's Pharmacy must evaluate and properly dispose of the bulbs.

If the bulbs are determined to be hazardous, the bulbs must either be managed as hazardous waste or universal waste. If the bulbs are managed as hazardous waste, Mullaney's Pharmacy must comply with all applicable hazardous waste regulations. However, Mullaney's Pharmacy can reduce its regulatory burden by managing the bulbs as universal waste and recycling the bulbs. Enclosed is a copy of a guidance document titled "Universal Waste Rules for Handlers of Lamps" and a list of recyclers in Ohio. Ohio EPA recommends generators recycle all bulbs, whether hazardous or not.

A re-inspection will be conducted within thirty days of receipt of this letter. 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

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.