



State of Ohio Environmental Protection Agency

Southeast District Office

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

June 22, 2009

**LAWRENCE COUNTY
RIVER VALLEY HOSPITAL
DHWM/SEDO
OHR000149963**

Mr. Kevin Halter, Vice President
Our Lady of Bellefonte Hospital
Saint Christopher Drive
Ashland, KY 41101

Dear Mr. Halter:

On June 5, 2009, Ohio EPA received your response to my April 7, 2009 Notice of Violation (NOV) letter. The documentation you submitted included information concerning the four violations cited in my April 7th letter. In your letter, you provided an outline of the steps taken by Our Lady of Bellefonte Hospital (OLBH) and Burgess & Niple to address the outstanding violations. On April 24, 2009, additional information was received from Burgess & Niple, including a notification form for receiving a hazardous waste ID number, and a 2008 Annual Report.

My review of this documentation reveals that OLBH has adequately demonstrated abatement of the following violations discovered during the February 5, March 19, September 9, and September 25, 2008 inspections (for reference, the violation numbers are the same as those in the April 7, 2009 NOV):

- (2) **OAC3745-52-12(A), Generator Identification Numbers; and**
- (4) **OAC 3745-65-75 Annual Report.**

However, OLBH remains in violation of the following hazardous waste laws:

- (1) **OAC 3745-52-11, Hazardous Waste Determination:** 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.

To abate this violation, please send complete documentation **within 15 days** of your receipt of this letter that the remaining wastes have been properly identified and disposed of or recycled. On June 4, 2009, Ohio EPA received from Keen & Cross receipts/bills of lading/certificates of recycling for the disposal/recycling of asbestos materials, fluorescent bulbs, PCB ballasts, and televisions. The

receipts for asbestos material sent to Pike Sanitation Landfill and Athens Hocking Reclamation Center have no signatures for the waste disposal site owner/operator. These receipts are incomplete. Please send the complete manifests/receipts for the asbestos containing materials, lead aprons/lead contaminated debris, batteries (from electronic equipment), and any additional hazardous wastes that were disposed of. This information should also include certificates of destruction from the treatment, storage, and disposal (TSD) facilities that accepted the hazardous wastes.

- (3) **OAC 3745-52-20(A), Manifest – General Requirements:** A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a uniform hazardous waste manifest, US EPA form 8700-22A (the continuation sheet) before transporting the hazardous wastes off-site. Completion of items one through twenty and items twenty-one through thirty-five, respectively, on these forms must be accomplished by the generator, transporter, or owner/operator.

Manifest no. 001738462JJK contains inaccurate information, in violation of this rule. The zip code for East Chicago, IN listed in #8 on the manifest is inaccurately reported as 29418. To abate this violation, OLBH shall complete another manifest with accurate information, and submit the manifest **within 15 days** to this office for review.

If you have any questions, please contact me at (740) 380-5288.

Sincerely,



Scott Bergreen

Environmental Specialist
Division of Hazardous Waste Management

SB/mlm

cc: Michael Garrett, Burgess & Niple
Clint Shuff, DSIWM, SEDO

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.