

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korfeski, Director

August 2, 2010

Don Roush
UVMC
3130 N. Dixie Highway
Troy, Ohio 45373

137337

**Re: Stanfield Place, 31 Stanfield Road, Troy Ohio
LG IW Generator, Notice of Violation**

Dear Mr. Roush:

On July 21, 2010, I conducted a large generator of infectious waste (IW) inspection at the above mentioned facility in the presence of Deanna Rhoades. This inspection was conducted in order to determine compliance with Ohio Administrative Code (OAC) 3745-27, specifically rules governing large generators of infectious waste. Violations and comments are documented in this letter.

1. During the inspection the following areas were inspected: Lab, IW Storage Area, and Suite 301.
2. In the IW storage room next to the lab, a plastic solid waste trash can was found with a large clear plastic trash bag. Commingled inside this trash bag was solid waste and at least two IW red bags. One red bag contained disinfectant bottles and in the other red bag urine samples were visible.

IW mixed in the solid waste stream for waste disposal and not in IW container is a violation of OAC Rule 3745-27-30(B)(1), which states in part;

Segregate infectious wastes from other wastes at the point of generation. At a minimum, infectious wastes shall be placed in separate containers, in accordance with rule 3745-27-34 of the Administrative Code, from other wastes until rendered non-infectious;

In addition, please be aware that once a waste is placed in the IW disposal container it is an IW and must be treated as such. Removal of IW from an IW container is a potential violation OAC 3745-27-30(C)(2), which states:

*Nothing in this rule prohibits a generator of infectious wastes from designating and managing wastes, in addition to those defined as infectious wastes under paragraph (B) (15) of rule 3745-27-01 of the Administrative Code, as infectious wastes when, in the judgment of the generator, those other wastes should be managed as infectious wastes because they are, or are likely to be, contaminated with infectious agents. **After designating any such other wastes as infectious, the generator shall manage those wastes in compliance with the requirements of this rule.***

3. In Suite 301, the spill containment procedure was reviewed. During the review of the procedure it was determined that the procedure needed the contact people at the top updated. In addition, the IW spill procedure listed two locations for the location of the IW spill kit, however only one spill kit was located. Failure to ensure that complete IW spill kits are available in those areas designated in the spill containment and clean-up procedures is a violation of OAC Rule 3745-27-30(B)(11) which states:

All generators need to maintain spill containment and clean-up kits in a readily accessible area. Spill kits shall, at a minimum, consist of:

- (1) *Material designed to absorb spilled liquids.*
- (2) *An U.S. EPA registered hospital disinfectant that is also tuberculocidal, for a contact time as specified by the manufacturer, a unexpired dated stabilized bleach product that is an U.S. EPA registered hospital disinfectant that is also tuberculocidal, for a contact time as specified by the manufacturer, or materials necessary to prepare a minimum ten per cent sodium hypochlorite solution prepared immediately prior to use with a minimum of thirty minutes of contact time with the waste;*
- (3) *Red plastic bags or other color bags conspicuously labeled with the international biohazard symbol, or sufficient bags to overpack all infectious waste that is spilled and/or ruptured containers. Bags shall meet the ASTM one-hundred and sixty-five gram "Dropped Dart Test" and the twenty-five pound carry test of rule 3745-27-34 of the Administrative Code and are accompanied by seals and labels or have imprinted labels and can be tied or self-sealed. These bags shall be large enough to overpack any box or other container normally used for infectious waste management;*

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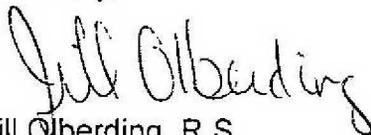
- (4) *Latex gloves, or equivalent type, and any other personal protective equipment necessary to implement the spill containment and clean up procedure; and*
 - (5) *A first-aid kit, fire extinguisher, **boundary tape**, lights, and other appropriate safety equipment.*
4. In Suite 301 a bulb syringe was put in a red IW bag. Please be advised that per OAC Rule 3745-27-01 and *Webster's New World Dictionary* a bulb syringe is defined as a "Sharp" and such must be placed in a ridged sharp container. Placing the bulb syringe into IW bag and not a ridged container is a violation of OAC Rule 3745-27- which states in part;

Place all of the following in a "sharps" container, as defined in paragraph (B) of rule 3745-27-34 of the Administrative Code: Sharp infectious wastes as defined in rule 3745-27-01 of the Administrative Code and paragraph (C) (1) of this rule;

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to, Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, or Resource Conservation and Recovery Act remedying conditions resulting from any release of contaminants to the environment.

Correction of the violation cited herein is expected to begin immediately. Please respond in writing within fourteen days of receipt of this correspondence regarding your remedy and implementation schedule in regards to the aforementioned violations. **A re-inspection will then be scheduled to verify and document your return to compliance with Ohio law. I would like to thank your staff for cooperating in this inspection.** If you have any questions, please contact me at (937) 285-6094.

Sincerely,



Jill Olberding, R.S.
Division of Solid and Infectious Waste Management

JO/ka

