



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Butler Co.
Health Dept
Inf. Waste
135706

February 1, 2011

RE: **AMC Imaging Grand Ave, Butler County
Notice of Violation – Large Generator
Inspection Correspondence**

Ms. Karen Marden
Facility Manager
4214 Grand Ave
Middletown, Ohio 45044

Dear Ms. Marden:

On January 19, 2011, Monte Bluebaum and I representing the Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM) met with you and Darlene Fletcher to conduct a comprehensive infectious waste large generator inspection of the (Facility) located at 4214 Grand Ave., Middletown, Ohio.

The purpose of this inspection was to determine compliance with Ohio's Infectious Waste Regulations. I inspected the infectious waste handling areas, infectious waste storage areas, spill kit and procedures, conducted a records review including treatment shipping paperwork, and checked for a valid registration certificate.

The following observations were made during our inspection:

1. The Facility was missing the infectious waste spill kit and spill containment and clean-up procedures during our inspection. Ms. Marden indicated that their location did not have either on-site.

The Facility's failure to develop and maintain the spill containment and clean-up procedures and spill kit is a violation of OAC Rule 3745-27-30(10) which states in part:

"Develop a spill containment and clean-up procedure. A copy of the procedure shall be posted or readily available on the premises to persons likely to handle infectious waste, including janitorial services. The name, address, and telephone number of the infection control manager or infectious waste control manager and their back-up, along with the location of all spill containment and clean-up materials/kits at this facility, shall be listed at the top of the spill containment and clean-up procedure. Copies of the procedure shall be provided at the request of

the board of health with jurisdiction or the director of the Ohio EPA or their authorized representative;

[Comment: These procedures can be the same procedures that were developed in response to OSHA's blood borne pathogen regulations.]"

2. The Facility did not have an infectious waste spill kit available on-site for our review during this inspection. Failure to ensure that clean-up materials/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;
- (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.

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3. The treatment shipping papers were on file and Stericycle, Inc (Stericycle), transporter registration number 00-T-00199, was identified as the Facility's Infectious Waste Transporter. Upon review of the shipping papers they were incomplete since they listed the old generator certificate registration number. The Facility's failure to have their generator number listed is a violation of Ohio Administrative Code (OAC) Rule 3745-27-33(B)(2) which states in part:

"the shipping papers need to be complete and legible"

and OAC Rule 3745-27-33(B)(5)(a) which states in part:

"The name, registration identification number, and dated signature, of the generator, and the address and telephone number of the premises where the wastes were generated" needs to be listed on the top of the shipping papers."

During this inspection it came to Ohio EPA's attention that a change had been made to the registrant's generator registration number during the renewal of the registration in June 2010. The new generator registration number listed as #83-G-00022 should be used on all shipping paperwork going back to June 21, 2010 since the registrant Atrium Medical Center is now located within Warren County.

As discussed with Ms. Fletcher in a phone conversation on January 27, 2011 for shipping paperwork dated June 21, 2010 through December 31, 2010, the white copy alone may be changed to reflect the new generator number. Any shipping paperwork from January 1, 2011 to current date needs to have all copies (white and yellow) updated with the new generator registration number until the change is made with the licensed infectious waste transporter on their forms.

As a reminder, as the generator you are responsible for this information to be provided on your forms until the change on the pre-printed forms is made.

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.

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If you have any questions, please contact me at (937) 285-6046.

Sincerely,



Maria Lammers, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

cc: Darlene Fletcher, Environmental Services Manager, Atrium Medical Center

ML/rb