



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

February 25, 2008

**RE: LAWRENCE COUNTY  
RIVER VALLEY HOSPITAL**

Lawrence County Board of Commissioners  
111 South 4<sup>th</sup> Street  
Ironton, Ohio 45638

Dear Commissioners:

The Southeast District Office of the Ohio EPA recently received a complaint concerning possible biohazard issues at the closed River Valley Hospital, located in Ironton, Ohio. I conducted an inspection of the River Valley Hospital on February 5, 2008. I was accompanied by Louis Boerger with the Portsmouth Local Air Authority. Bill Dickens, representing the Ironton Port Authority, and Michael Garrett, representing Burgess & Niple Consulting were also present along with David Hall, Director of Plant Operations, representing Our Lady of Bellefonte Hospital.

The purpose of the inspection was to investigate the complaint and to discuss the upcoming demolition of the River Valley Hospital and requirements associated with proper disposal of solid wastes, demolition debris, and any other wastes that may be present. River Valley Hospital owned by the Lawrence County Commissioners closed on January 31, 2001, and was purchased by Our Lady of Bellefonte Hospital on September 2, 2002.

Mr. Dickens advised me that a "Clean Ohio Fund Grant" had been recently awarded to the Port Authority for the demolition of the hospital and proper disposal of the wastes and demolition debris. This project was coordinated with Our Lady of Bellefonte Hospital. The Port Authority hired Burgess & Niple Consulting to assist in the oversight of the project.

During this inspection, I observed infectious wastes, including sharps and cultures in various locations in the building. Some of the infectious wastes were placed in red biohazard bags and other infectious wastes were scattered on the floor in several rooms. These wastes have been present since the hospital's closure in January of 2001. Infectious wastes have remained in this facility and have not been stored or disposed of correctly for approximately 7 years.

From the closure of the hospital in January of 2001, until the hospital was sold to Our Lady of Bellefonte Hospital in September of 2002, the Board of Lawrence County Commissioners incurred violations of Ohio law and rules for failure to properly manage infectious waste. Specific violation citations are listed below.

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The wastes were not properly stored, transported and disposed at a licensed facility. Biohazard bags were not tied and infectious waste was strewn about on the floor. The infectious waste was not maintained in a manner and location to adhere to the integrity of the packaging.

Ohio Administrative Code (OAC) 3745-27-30(B): Each generator of infectious wastes holding a certificate of registration under paragraph (A) of rule 3745-27-36 of the Administrative Code, and any other person who generates fifty pounds or more of infectious wastes in any one month (large generator) shall:

OAC Rule, 3745-27-30(B)(5): Dispose of infectious wastes at a solid waste disposal facility holding a license issued under division (A) of section 3734.05 of the Revised Code, after being treated to render them non infectious by either: (b) Designating the wastes for treatment off that premises at an infectious waste treatment facility holding a license issued under division (B) of section 3734.05 of the Revised Code, or to a facility.

OAC Rule, 3745-27-30(B)(7): Cause infectious wastes that have not been treated to render them noninfectious in accordance with rule 3745-27-32 of the Administrative Code to be transported in shipments consisting only of untreated infectious wastes.

OAC Rule, 3745-27-34(A) Packaging of infectious waste, other than those subject to paragraph (b)(15)(g) of rule 3745-27-01 of the OAC shall meet the following requirements: (3) Filled bags shall be securely tied or sealed to prevent leakage or expulsion of wastes from them during storage, handling, or transport.

OAC Rule, 3745-27-35(A)(1): Handle infectious waste containers in a manner and location that maintains the integrity of the packaging.

OAC Rule, 3745-27-35(B)(1): Maintain infectious wastes in a nonputrescent state, using refrigeration or freezing when necessary.

OAC Rule, 3745-27-35(B)(2): If infectious waste becomes putrescent, then the waste must be immediately refrigerated or frozen and shall be treated and disposed of as soon as possible regardless of any storage time frame.

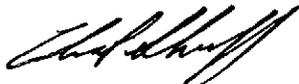
OAC Rule, 3745-27-35(B)(3): Maintain infectious wastes in a manner that affords protection from animals and does not provide a breeding place or a food source for insects or rodents.

These violations have been ongoing and will continue until the infectious wastes in the hospital are removed and disposed of at a licensed infectious waste disposal facility. As we understand from Burgess & Niple, the infectious waste will be managed as required through the Clean Ohio Assistance Fund grant agreement with the Ironton Port Authority. We expect and anticipate this work will be done very soon and that Our Lady of Bellefonte Hospital, as the current owner responsible party, will ensure this does occur.

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Should you have questions, please contact me at (740) 380-5246.

Sincerely,



Clint Shuff, R.S.  
Environmental Specialist  
Division of Solid and Infectious Waste Management

CAS/jg

cc: Craig Butler, Chief, SEDO  
Alison Shockley, DSIWM, CO  
Barry Chapman, DSIWM, CO  
Tiffani Kavalec, DERR, CO  
Louis Boerger, Portsmouth Local Air Authority  
Lawrence County Commissioners  
Burgess & Niple, 312 Plum St. 12<sup>th</sup> Floor, Cincinnati, Ohio 45202, Attention Michael  
Garrett  
Bill Dickens, Ironton Port Authority, City Building 301 South 3<sup>rd</sup> Street, Ironton, Ohio