



**Environmental
Protection Agency**

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

Butler Co.
Health Dept
Inf. Waste

135707

February 1, 2011

**RE: Excel Corp Care, Butler County
Notice of Violation – Large Generator
Inspection Correspondence**

Mr. David Potts
Program Manager
Excel Corp Care
4220 Grand Ave
Middletown, Ohio 45044

Dear Mr. Potts:

On January 19, 2011, I representing the Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM) met with you, Kimberlee Smith and Darlene Fletcher to conduct a comprehensive infectious waste large generator inspection of the (Facility) located at 4220 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. A copy of the valid registration certificate for the Facility could not be located on the premises upon my request during the inspection. According to Ohio EPA's list of registered infectious waste generators this Facility's certificate is valid therefore no violation was noted. Please contact Ohio EPA-Infectious Waste Unit at 614-644-2621 for an additional copy, if the original cannot be located.
2. 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 former name of the facility "MRMC Excel Corp Care" and an old generator certificate registration number. The Facility's failure to have their current name and generator number listed are violations 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,

Mr. David Potts
Page 2

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 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.

3. The infectious waste spill procedures for the Facility may need to be updated to reflect the corporate name change on the policy, please verify and revise as necessary. During the inspection Ms. Fletcher indicated that she would follow-up on this document and make sure if a revision had been made that the updated policy be provided to each Atrium Medical Center Facility.

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.

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