

Butler Co.
Stericycle
Transporter
Gen. Carr.



State of Ohio Environmental Protection Agency

Southwest District

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

August 1, 2008

Mr. Mark Taylor, Transportation Manager
Stericycle
295 Edison Drive
Middletown, Ohio 45044

**Re: Stericycle Registered Transporter, Butler County
Notice of Violation –Transporter Truck Inspection at Atrium Medical Ctr.**

Dear Mr. Taylor:

On July 24, 2008, Tracy Buchanan and I with the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) conducted an inspection of Stericycle Truck #45134, (2004 International 4300 VIN# 1HTMMAAL74H654587, License Plate-OH PEG4581) EPA Decal #2830, while we were conducting our large generator inspection at the new Atrium Medical Center (Facility) located at One Medical Center Drive, Franklin, Ohio. Accompanying us during the inspection were John McKinney, Darlene Fletcher, and Charlene Kurtz from Atrium Medical Center, and Nathan Richardson of Stericycle (driver). The purpose of this inspection was to determine compliance with Ohio's Infectious Waste Regulations.

The following observations were made during our inspection:

1. The infectious waste transporter driver could not locate an infectious waste spill kit in the vehicle identified above during this inspection. The transporter's failure to have a spill containment and clean-up kit in the vehicle is a violation of Ohio Administrative Code (OAC) Rule 3745-27-31(D) which states in part:

"All transporters shall carry spill containment and clean-up kits and maintain such kits in a readily accessible area. 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 stablized 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; [Comment: Household bleach depending upon brand is three to five per cent sodium hypochlorite by volume. A 1:10 dilution of household bleach (one part household bleach to nine parts of water) contains a minimum ten per volume/volume sodium hypochlorite solution and will produce a solution with 3000-5000 parts per million of free available chlorine. To make a ten per cent household bleach solution for disinfection, add approximately 6.4 ounces of household bleach to 57.6 ounces of tap water. This yields 1/2 gallon of solution.]

- (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.
2. Upon review of the infectious waste treatment shipping papers for the Atrium Medical Center, I observed several white (original) copies had not been returned to the generator within the forty-five day period as required by OAC Rule 3745-27-33(B)(6). The Facility sent two letters to Stericycle in attempt to attain the documentation verifying treatment of the waste dated July 22, 2008 and July 23, 2008 which identified several infectious waste treatment shipping papers that had not been returned to the Facility. Also, during my review I noted that three infectious waste treatment shipping papers had exceeded the forty-five day return requirement, these manifest numbers were #5I6F, #5IJM, and #5EDY, failure to return the original shipping paper within forty-five days of treatment to the generator is a violation of OAC Rule 3745-27-33(B)(6) which states in part:

"Be returned to the generator within forty-five days of treatment of the waste at a treatment 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

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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.

As such, corrections of the violations cited herein are expected to begin immediately.

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

Sincerely,



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

cc: Dennis Moore, Environmental Safety & Health Mgr, Stericycle
Chief of Environmental Services, Butler County Health Department

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