

**Environmental
Protection Agency**

Joe Straubinger, Governor
Lee Fisher, Lt. Governor
Chris Joneski, Director

August 2, 2010

245091 NOV

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

**RE: UVMC HOSPITAL
LG IW Generator Inspection, Notice of Violation**

Dear Mr. Rousch:

On July 21, 2010, I conducted a large generator of infectious waste 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 (IW). The following violations and comments are a result of the inspection:

1. During the inspection the following areas were inspected: Lab, Emergency Department, OB, PACU and Outside IW Storage Room.
2. The shipping papers for the infectious waste were complete and well organized.
3. The hospital stores IW for Stericycle to pick-up in an outside storage area. The area was locked.
4. At two locations during the hospital inspection syringes were found in the solid waste stream.
 - **Findings for ER – 112K Soiled Utility.** The room contained one ready to use IW container which contained empty cardboard boxes (one was from Ortho Glass). Immediately next to the IW container was a solid waste container which was overfilled with clear plastic garbage bags. The top garbage bag contained a visible syringe which was confirmed by Ms. Rhoades. Ms. Rhoades contacted staff and requested that the bag of solid waste with the syringe be placed into an infectious waste container.

- **Findings for PACU – Cubical Patient Care Cart.** A syringe was found placed in the Cubical Patient Care Cart waste container for solid waste. The syringe was not in a red bag or a sharps container. Staff removed the syringe and placed it in a sharps container.

Sharps placed in the solid waste stream for waste disposal and not in a sharps container is 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;

and a violation of OAC Rule 3745-27-30(B)(3), 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: (a) Sharp infectious wastes as defined in rule 3745-27-01 of the Administrative Code and paragraph (C) (1) of this rule; and (b) All unused discarded hypodermic needles, syringes, and scalpel blades; and (c) All discarded hypodermic needles, syringes, and scalpel blades used by the generator that are not infectious wastes as defined in rule 3745-27-01 of the Administrative Code.

and a violation of OAC Rule 3745-27-30(C)(11), which states;

A generator shall handle all infectious wastes in accordance with rule 3745-27-35 of the Administrative Code.

In addition, please be aware that once waste is placed in the IW disposal container it is an IW and must to 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;

5. IW container in Women Services, soiled utility room 1308 was found overfilled, losing its ability to be properly packaged. The Facility's failure to properly manage and maintain the integrity of packaging for in-use containers is a violation of OAC Rule 3745-257-35(A)(1) which states in part;

Generators shall handle infectious waste containers in a manner and location that maintains the integrity of the packaging.

and a violation of OAC Rule 3745-27-30(B)(3), which states in part;

Containers holding infectious wastes shall not be dropped, managed, or transferred in such a manner as to cause damage to the bag or container.

In addition, please be advised that overfilled IW containers are also a problem because IW cannot be compacted per OAC Rule 3745-27-30(B)(4).

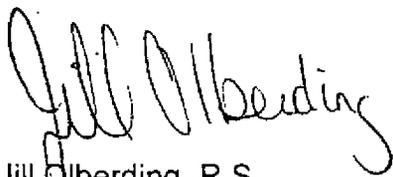
6. Chemo waste was briefly discussed during my inspection and its potential to be a hazardous waste. Please be aware that chemo may not be the only hazardous waste from the pharmacy. Please contact Ohio EPA, SWDO Division of Hazardous Waste if you have any questions in reference to your current practices and disposal.
7. Please clarify in writing how/who handles generated IW from the Doctors office which are attached to the hospital. In addition, provide Ohio EPA with an updated list for offsite buildings; including who is present in the building, who UVMC takes responsibility for and whom UVMC does not handle their infectious waste and compliance.

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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Corrections of the violations cited herein are 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,

A handwritten signature in cursive script, appearing to read "Jill Olberding".

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

JO/ca