



Environmental  
Protection Agency

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

November 9, 2011

Angela Farno  
Troy Family Medicine  
110 South Stanfield Road  
Troy, OH 45373

**RE: Troy Family Medicine, 110 South Stanfield Road, Troy, OH  
Notice of Violation**

Dear Ms. Farno:

On November 3, 2011, I conducted a large generator of infectious waste (IW) inspection at the above mentioned Facility. This inspection was conducted in your presence to determine compliance with Ohio Administrative Code (OAC) 3745-27, specifically rules governing large generators of infectious waste. The following violations and comments were noted:

1. The room where the infectious waste was being stored was found unlocked and not labeled. This is a violation of OAC Rule 3745-27-35(A)(2), which requires the door to be locked or visibly labeled with signs and/or international biohazard symbol posted.
2. The biohazard spill kit did not contain boundary tape or disinfectant that was tuberculocidal. This is violation of OAC Rule 3745-27-30(B)(11)(b) and (e), which states in part;

*Ensure that clean-up materials / kits are available in those areas designated in the spill containment and clean-up procedures. Materials utilized in the clean-up of a spill of infectious wastes shall include, but are not limited to: ... (b) An U.S. EPA registered hospital disinfectant that is also tuberculocidal, ... (e) A first aid kit, unless emergency medical care is available on the premises, boundary tape, and other appropriate safety equipment.*

3. I was informed that the Facility is with the Kettering Health Network. If you have not yet added the Facility to the Kettering Health Network generator registration please do so. A hard copy of this form was left with you. In addition, the form is available at the following web site,  
[http://www.epa.ohio.gov/portals/34/document/guidance/gd\\_079.pdf](http://www.epa.ohio.gov/portals/34/document/guidance/gd_079.pdf).

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Troy Family Medicine needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Troy Family Medicine is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to [jill.olberding@epa.ohio.gov](mailto:jill.olberding@epa.ohio.gov).

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. (or 3714 for C&DD) of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, [appropriate entity] is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions, please contact me at (937)285-6094.

Sincerely,



Jill Olberding, R.S.  
Division of Materials and Waste Management

JO/tf