



**Environmental
Protection Agency**

John E. Kasich, Governor

DeWine, Lt. Governor

Robert L. Ruff, Director

July 22, 2011

**RE: NORTHSIDE MEDICAL CENTER
MAHONING COUNTY
OHD 981 193 790
PARTIAL RETURN TO COMPLIANCE
(PRTC) SQG**

Peter N. Kapottos
Director Environmental Services
Northside Medical Center
500 Gypsy Lane
Youngstown, OH 44501

Dear Mr. Kapottos:

This letter acknowledges receipt on July 11, 2011 of your correspondence dated July 5, 2011. That correspondence responded to Ohio EPA's Notice of Violation (NOV) letter dated June 10, 2011.

The documentation you submitted for each violation is discussed below. For consistency and ease of reference, this letter retains the violation numbers from my NOV letter of June 10, 2011. Please refer to that letter for additional details of the violations cited.

This letter identifies those violations for which Northside Medical is returned to compliance and those violations for which additional action is required.

VIOLATIONS WHICH REQUIRE ADDITIONAL ACTION

1. OAC Rule 3745-52-11 Waste Evaluation

In summary, the requested response to this violation required Northside Medical to develop and implement a program (e.g., the Stericycle program) to evaluate its unused pharmaceutical wastes so as to ensure proper disposal of any that are hazardous wastes, to train appropriate personnel on the elements of the program, and to submit documentation on program implementation and training to this office.

The response consisted of a copy of a Stericycle, Inc. Pharmaceutical Waste compliance Services Agreement Letter of Participation along with statements that a Stericycle representative did a walk-through assessment in June and that training is scheduled to begin the week of July 25 and will be implemented within 30 days of receipt of this response.

Northside Medical's response is inadequate as it does not provide sufficient details to determine if all the work necessary to respond to Violation No. 1 has been or will be completed.

Peter N. Kapottos
Northside Medical Center
July 22, 2011
Page 2

To return to compliance, Northside Medical must provide documentation that it has responded to all the response elements requested under Violation No. 1 in the NOV letter of June 10, 2011. I would expect the response to include copies of key training materials used, a list of personnel trained either by individual names or by job categories, and copies of policies on management of pharmaceutical wastes.

This documentation should be submitted to this office within 45 days of receipt of this letter.

7. OAC Rule 3745-52-34(D)(5)(c) Employees Must Be Appropriately Trained

In summary, the requested response to this violation required Northside Medical to conduct training of all staff with hazardous waste management responsibilities and activities so that they are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies, and to submit a copy of the training agenda and a list of attendees.

The response consisted for an itemized list of topics for one employee and sign-in sheets for a team meeting of "Job Specific-Bio/Hazmat" training. The response refers to "HAZMAT Training." While there is some overlap, HAZMAT is not equivalent to hazardous waste management. For example, I did not find the words "hazardous waste" in the response materials provided

To return to compliance Northside Medical must, within 45 days of receipt of this letter, provide documentation to this office that it has responded to all the response elements requested under Violation No. 7 in my NOV letter of June 10, 2011. I would expect the response to include copies of training materials used and to find references to hazardous waste in those materials.

Submit the above requested response documentation to this office within 45 days of receipt of this letter. Response correspondence should be sent to:

**Neil Wasilk
Northeast District Office
Ohio Environmental Protection Agency
2110 East Aurora Road
Twinsburg, OH 44087**

VIOLATIONS FOR WHICH NORTHSIDE MEDICAL IS RETURNED TO COMPLIANCE

- 2. OAC Rule 3745-52-34 (C) (1) (b) Labeling of Satellite Accumulation Containers.**

A photo of a properly marked container was provided.

Peter N. Kapottos
Northside Medical Center
July 22, 2011
Page 3

3. **OAC Rule 3745-52-34(A)(2) Accumulation Date Must Be Clearly Marked.
OAC Rule 3745-52-34(A)(3) Must Be Labeled With the Words "Hazardous Waste."**

A photo of a properly marked container was provided.

4. **OAC Rule 3745-66-74 Inspection Log.**

A copy of a current log was submitted.

5. **OAC Rule 3745-65-32(C) Required equipment.
OAC Rule 3745-65-34 (A) Access to communications or alarm system.**

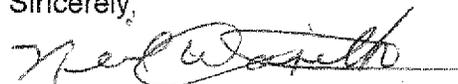
Photos of the fire extinguisher, spill control equipment, and emergency communication device for the 180 day accumulation area were submitted.

6. **OAC Rule 3745-65-33 Emergency Equipment Log.**

A copy of a current log was submitted.

Should you have any questions regarding this letter, please contact me at (330) 963-1165.

Sincerely,



Neil J. Wasilk
Environmental Specialist
Division of Materials and Waste Management

NJW/cl

ec: Natalie Oryshkewych, Ohio EPA, DMWM, NEDO
Nyall McKenna, Ohio EPA, DMWM, NEDO
Jeff Mayhugh, Ohio EPA, DMWM, CO
Marlene Kinney, Ohio EPA, DMWM, NEDO