



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

Re: Omnicare Pharmacy of Northwest Ohio  
OHR000162123  
Wood County  
Hazardous Waste  
**Return to Compliance**

November 1, 2012

Mr. Mike Wisniewski, General Manager  
Omnicare Pharmacy of Northwest Ohio  
7643 Ponderosa Road  
P.O. Box 1030  
Perrysburg, Ohio 43552

Dear Mr. Wisniewski:

Thank you for your October 2, 2012, and October 3, 2012, responses to Ohio EPA's September 21, 2012, Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. Omnicare Pharmacy of Northwest Ohio (hereafter referenced as Omnicare) submitted weekly inspection logs, and emergency response information and photograph. My review of the documentation submitted reveals that Omnicare has adequately demonstrated abatement of all of the violations cited in the September 21, 2012, NOV/PRTC.

The following is a summary of the violations cited in the September 21, 2012, NOV/PRTC as a result of Ohio EPA's August 27, 2012, inspection and your compliance with respect to each:

**1. OAC Rule 3745-52-11, Waste Evaluation:**

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

Omnicare failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

***This violation was previously abated on August 28, 2012.***

**2. OAC Rule 3745-52-34(D)(5)(b), Preparedness and Prevention:**

A generator must post the following information next to the telephone: the name and telephone number of the emergency coordinator; location of fire extinguishers and spill control equipment, and if present, fire alarms; and the telephone number of the fire department, unless the facility has a direct alarm.

Omnicare failed to have the required information posted next to the telephone located outside of the secured hazardous waste storage area. On August 28, 2012, Omnicare submitted, via electronic mail, a copy of the information now posted next to the telephone. This form was missing the location of fire extinguishers and spill control equipment, and the telephone number of the fire department.

**On October 3, 2012, Omnicare submitted, via electronic mail, a copy of the emergency response information that is now posted next to the telephone located outside of the secured hazardous waste storage area. In addition, photographic documentation was submitted showing this information posted next to the telephone.**

***With this information, this violation is considered abated.***

**3. OAC Rule 3745-66-74, Inspections:**

Container storage areas shall be inspected at least once during the period from Sunday to Saturday. These inspections shall be recorded in an inspection log or summary.

Omnicare was not conducting weekly inspections of the hazardous waste storage area.

**On October 3, 2012, Omnicare submitted, via electronic mail, four weeks of completed weekly inspection logs.**

***With this information, this violation is considered abated.***

**Request for additional information:**

Hazardous pharmaceutical waste may be returned to the manufacturer or another company if there is a reasonable likelihood that it will be recycled by being used, reused or reclaimed. Omnicare places 90% of the pharmaceuticals that are returned to them from the health care facilities back into your production system or donated.

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Please provide three months of documentation on how you track the amount of pharmaceuticals that are returned to your facility; the amount of pharmaceuticals placed back into the production system or donated; and the amount of pharmaceuticals deemed a waste for disposal. In addition, for the pharmaceuticals that are recycled, please provide an explanation of how and where the medication is recycled.

**On October 2, 2012, Omnicare submitted the additional information that was requested above. Ohio EPA's review of the information provided by Omnicare indicates that the pharmaceuticals returned to your facility meet the definition of a commercial chemical product. In addition, if the medication is dispensed to a patient while they are at the long term health care facility, the returned medication would be considered a household hazardous waste when no longer needed by that patient. Omnicare makes every effort to restock the medication to be used or donated to the Ohio State Repository program.**

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers  
Division of Materials and Waste Management

/cg

pc: Cindy Lohrbach, DMWM, NWDO  
Colleen Weaver, DMWM, NWDO  
Carl Alder, Omnicare Pharmacy of Northwest Ohio

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)  
Melissa Boyers, DMWM, NWDO  
Brent Goetz, DMWM, NWDO

**Notice:**

Ohio's EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.