



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

March 26, 2013

Ms. Brenda Woodrow
Store Manager
Rite Aid #3057
93 N. Plains Road
The Plains, OH 45780

**ATHENS COUNTY
GENERAL FILE
(RITE AID #3057)
DMWM/SEDO
OHR000174508**

Dear Ms. Woodrow:

On March 20, 2013 I inspected Rite Aid #3057 in The Plains, Ohio to determine Rite Aid #3057's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). During the inspection Rite Aid #3057 was represented by Amanda Knopp, Shift Supervisor.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information **within 14 days** of your receipt of this letter:

- (1) **OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate the waste to determine if the waste is a hazardous waste in accordance with the criteria set forth in OAC Chapter 3745-51.

Rite Aid #3057 generates waste photo developing fluid and fluorescent lamps. These wastes have not been evaluated to determine whether or not they are hazardous wastes. The waste photo developing fluid is being dumped in a mop sink located in the storeroom. The waste fluorescent lamps are being disposed of in the store's solid waste dumpster.

To assist you with understanding application of the hazardous waste regulations to these two wastes, I have enclosed the guidance documents *Does Your Business Process Photos or Film?* and *Fluorescent Lamps: What You Should Know*.

In order to return to compliance with this rule Rite Aid #3057 must evaluate the waste photo developing fluid and fluorescent lamps to determine if either is a hazardous waste. Submit documentation to this office showing how the waste determination has been made, either by generator knowledge or by laboratory testing. For the fluorescent lamps, you may also choose to begin managing them as a Universal Waste, as described in the enclosed guidance document. If you manage your fluorescent lamps as Universal Waste you are not required to evaluate them.

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Request for Additional Information

- (A) At the time of the inspection, Amanda Knopp was unsure as to where the mop sink in the storeroom drains. Please determine if the mop sink discharges into The Plains sewer system, a holding tank, or to some other location and report your findings to this office.

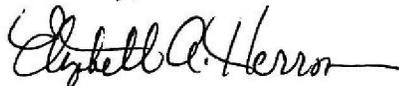
Rite Aid #3057 needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Rite Aid #3057 is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation 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.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 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, Rite Aid #3057 is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Enclosed is a copy of the checklist completed as a result of the inspection. You can find Ohio's hazardous waste rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

If you have any questions, please contact me by telephone at (740) 380-5248 or by e-mail at Elizabeth.Herron@epa.ohio.gov.

Sincerely,



Elizabeth A. Herron
Environmental Specialist
Division of Materials and Waste Management

EH/mr

Enclosures

cc: Stephanie Caiati, Director, EH & S Rite Aid

NOTICE:

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

Completed verification forms required to be submitted to CO should be e-mailed to RCRAInfoData@epa.ohio.gov

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHR000174508		Website: (Optional)					
	Name: Rite Aid #3057							
	Street Address: 93 N. Plains Road							
	City, Town, or Village: The Plains		State: OH					
County Name: ATHENS		Zip Code: 45780						
Private <input checked="" type="checkbox"/>		County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Amanda		MI:	Last Name: Knapp	
	Title: Shift Supervisor				
	Phone Number:			Phone Number Extension:	
	E-Mail Address:				
	Fax Number:			Fax Number Extension:	
	Street or P.O. Box: 93 N. Plains Road				
	City, Town or Village: The Plains		State: OH		

Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:				Date Became Owner (mm/dd/yyyy):				
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State:				Country:		Zip Code:		
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Operator Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
City, Town or Village:				Operator Phone #:					
State:				Country:		Zip Code:			

VIOLATIONS CITED?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11		<input type="checkbox"/> Large Quantity Generator (LQG)	
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>		<input type="checkbox"/> Small Quantity Generator (SQG)	
			<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator	
			<input type="checkbox"/> U.S. Importer of Hazardous Waste	
			<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator	

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

- | | |
|---|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

- Announced Yes No Additional Facility Representatives:
Tanks Yes No
Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Elizabeth Herron		3/20/2013 8:50 AM - 9:30 AM

Comments:

WASTE ACTIVITIES SUMMARY

Facility Name: Rite Aid #3057

Facility Type: CESQG

EPA ID #:

OHR000174508

Description of Waste				On-Site Management			Off-Site Management	
Process Generating Waste	Waste Generated	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage	Type of On-Site Treatment	Waste Location	Name, state, and type of activity	
1	Facility lighting	Spent lamps	Not evaluated	Varies	None	None	None	Disposed in dumpster as a solid waste. Dumpster is serviced by Farmers Refuse, who transports the contents to Athens-Hocking Landfill.
2	Pharmacy paperwork	Waste paper	NA	Varies	Polycart	None	Storeroom	All Shred Services
3	Customer returns and damaged items	Household cleaners, over the counter items	NA	Varies	Basket	None	Behind the front counter	Sent back to Rite Aid Warehouse in Nitro, WV
4	Photo processing	Waste photo developing fluid	Not evaluated	Estimate 3 gallons per week	Plastic jug	None	Photo processing area	Dumped in mop sink located in the storeroom

PROCESS DESCRIPTION

Rite Aid #3057 is a retail pharmacy store. The store sells prescription drugs, food, household items, and health and beauty items. They also offer in-store photo processing services.

Prescription medications that are within three months of the expiration date are sent back to the Rite Aid warehouse. Therefore at the time the medications are shipped they are not wastes.

REGULATORY HISTORY

Rite Aid #3057 notified Ohio EPA of its hazardous waste generation on 8/20/12 as a conditionally exempt small quantity generator of hazardous waste. Waste codes on the notification sheet were D001, D002, D007, D009, D010, D024, and P001. Absent on the notification form was D011, which would be typically seen for photo developing waste. This facility has not been previously inspected for compliance with Ohio's hazardous waste laws.

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>Rite Aid has not evaluated their waste photo developing solution or their waste fluorescent lamps.</i>		

GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>Unknown at this time. Waste has not yet been adequately evaluated.</i>		

TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a:	
a.	Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>