



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

October 25, 2012

RE: MP BIOMEDICALS, LLC
OHD987033958
CUYAHOGA COUNTY
LQG – NOV

Robert Beattie, VP Materials Management
MP Biomedicals, LLC
29525 Fountain Parkway
Solon, OH 44139

Dear Mr. Beattie:

On September 25, 2012, Marlene Kinney and I attempted to conduct a hazardous waste inspection at your facility. You described your business and gave us a tour of your 121,000 square foot facility. We understand MP Biomedicals supplies researchers and scientists with diagnostic testing equipment and life science products. You showed us the area where your wastes are stored (mostly expired chemicals); however, you and your staff were unsure which, if any, of these would be a hazardous waste. Because of this, we were unable to determine your facility's generator category and complete the inspection.

The following violations were noted and need to be addressed immediately.

1. Waste Determination – Ohio Administrative Code(OAC) 3745-52-11

As discussed at our inspection and in my e-mail the same day, you need to inventory your current wastes and make a determination for each waste type. In an e-mail on October 3, 2012, you indicated the inventory has been completed and the determination is being worked on. Please provide me with a list of all of your current hazardous wastes including the quantity of each and its appropriate hazardous waste code. Also include, if you know, when these wastes were generated. From this information we will determine which additional rules, if any, apply to your facility and complete our compliance inspection.

2. Open Containers of Universal Waste Lamps – OAC 3745-273-13(D)(1)

Spent fluorescent lamps were being stored in unlabeled boxes inside a decommissioned walk-in cooler. Some of these boxes were open and none were dated with the accumulation start date. Please submit a picture that documents all of the spent lamps are now in closed containers.

3. Unlabeled Containers of Universal Waste Lamps – OAC 3745-273-14(E)

Spent fluorescent lamps were being stored in unlabeled boxes inside a decommissioned walk-in cooler. The boxes need to be labeled with the words "universal waste lamps", "waste lamps", or "used lamps". Please submit a picture that documents all of the spent lamps are now in properly labeled containers.

4. **Accumulation Time of Universal Waste Lamps – OAC 3745-273-15(C)**

MP Biomedicals needs to be able to document how long spent fluorescent lamps have been accumulating by one of the methods described in this rule. Shipping papers such as a bill of lading that show when your spent lamps were last sent offsite for recycling would suffice as a method to keep track of accumulation time. If you have those papers, please submit a copy. If you don't please inform me what method you will use to document accumulation time.

MP Biomedicals needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, MP Biomedicals is requested to provide the above requested documentation to this office via the postal service or electronically to sherry.slone@epa.ohio.gov.

Please be advised that the 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, MP Biomedicals is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

The hazardous waste rules cited can be found on our division's web page at: <http://www.epa.ohio.gov/dhwm/>. Our division has created an electronic news service to provide generators with updates related to hazardous waste activities in Ohio. You can sign up for this free service at: http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage.

Our Office of Compliance Assistance and Pollution Prevention (OCAPP) offers non-regulatory on-site pollution prevention assessments. If you are interested in an assessment, you can contact Adrienne LaFavre at (330) 963-1200 or visit OCAPP's website at: <http://www.epa.ohio.gov/ocapp>.

If you have any questions concerning this letter, please contact me by telephone at (330) 963-1226 or by e-mail at sherry.slone@epa.ohio.gov.

Sincerely,



Sheryl K. Slone, P.E.
District Engineer
Division of Materials and Waste Management

SKS:ddw
Enclosures

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