

3745-27-39

Final closure of infectious waste treatment facilities.

(A) Applicability.

- (1) The owner or operator of an infectious waste treatment facility that is exempt from the permit and licensing requirements as detailed in sections 3734.02 and 3734.05 of the Revised Code shall comply with paragraphs (B) and (E) of this rule.
- (2) The owner or operator of an infectious waste treatment facility that is required to obtain an annual operating license in accordance with section 3734.05 of the Revised Code shall comply with paragraphs (C), (D) and (E) of this rule.
- (3) The owner or operator of an infectious waste treatment facility that maintains a solid waste license with an infectious waste notation in accordance with section 3734.05 of the Revised Code, shall comply with paragraphs (C), (D) and (E) of this rule. Closure requirements shall pertain only to infectious waste operations.

[Comment: The owner or operator of an infectious waste treatment facility that has a solid waste license with an infectious waste notation and no longer wishes to treat infectious wastes will be required to perform closure. The facility will be able to continue to manage solid wastes and the infectious waste notation will be removed from the license on the next renewal date.]

- (4) The owner or operator of an infectious waste treatment facility that has multiple infectious waste treatment units and ceases treating infectious wastes by any treatment unit and still maintains infectious waste treatment by the remaining infectious waste treatment units shall not be subject to this rule.
- (B) The owner or operator of any infectious waste treatment facility described in paragraph (A)(1) of this rule that permanently ceases treating infectious wastes or physically removes the infectious waste treatment unit shall comply with the following:
- (1) Within seven calendar days of the date that the facility ceased to treat infectious wastes, a notification shall be sent to Ohio EPA by submitting an "Amended Infectious Waste Generator Registration Certificate Application Form" pursuant to rule 3745-27-36 of the Administrative Code.
 - (2) Not later than thirty days after the facility has ceased to treat infectious waste, thoroughly clean all waste handling facilities, equipment, and areas on the premises where infectious waste was handled, managed or stored. Thorough cleaning of an infectious waste treatment facility shall include, at a minimum,

the following actions:

- (a) All areas of the facility including, but not limited to, all containers, equipment, machines, floors and facility surfaces that were in contact with untreated infectious wastes at any time during the operation of the facility shall be washed or otherwise subjected to procedures that substantially reduce or eliminate any remaining constituents or contaminants derived from contact with infectious wastes using one of the following approved disinfectants:
 - (i) A U.S. EPA registered hospital disinfectant that is also tuberculocidal, for a contact time as specified by the manufacturer.
 - (ii) An unexpired dated stabilized bleach product that is a U.S. EPA registered hospital disinfectant that is also tuberculocidal, for a contact time as specified by the manufacturer.
 - (iii) A minimum ten per cent sodium/potassium hypochlorite solution prepared immediately prior to use with a minimum of thirty minutes of contact time.
 - (b) Remove and properly dispose of any quench pit or water tank residue and liquids remaining at the facility.
 - (c) Maintain the facility management plan as required by paragraph (I) of rule 3745-27-32 of the Administrative Code at the closed treatment facility for three years. An alternative location may be approved by Ohio EPA.
- (C) Closure is mandatory for all infectious waste treatment facilities described in paragraphs (A)(2) and (A)(3) of this rule when:
- (1) The facility owner or operator notifies Ohio EPA in writing that the facility will permanently cease treating infectious waste.
 - (2) The infectious waste treatment facility ceases to treat infectious wastes. However, closure is not mandatory for a period of one year after ceasing to treat infectious wastes if there is a reasonable likelihood that normal operations will resume at the infectious waste treatment facility during the year.

- (3) The infectious waste treatment facility license has expired, and the owner or operator has not applied for a renewal license in the manner prescribed in Chapter 3745-37 of the Administrative Code.
 - (4) The infectious waste treatment facility license has expired and a renewal license has been applied for and denied as a final action.
 - (5) The infectious waste treatment facility license has been revoked as a final action.
- (D) The owner or operator of an infectious waste treatment facility described in paragraph (A)(2) or (A)(3) of this rule shall perform the following actions:
- (1) If the facility is closing for reasons outlined in paragraph (C)(1) or (C)(2) of this rule:
 - (a) Provide written notice, by certified mail or any other form of mail accompanied by a receipt, thirty days prior to the date that the facility will cease treating waste, to the approved local health district and the appropriate Ohio EPA district office.
 - (b) Concurrently, send written notice by certified mail or any other form of mail accompanied by a receipt, thirty days prior to the date that the facility will cease treating waste, to all registered infectious waste transporters who have utilized the facility in the past six months.
 - (2) If the facility is closing for reasons outlined in paragraphs (C)(3), (C)(4), and (C)(5) of this rule, not later than seven days after the final action, the owner or operator shall send written notice by certified mail, or any other form of mail accompanied by a receipt, to all registered infectious waste transporters who have utilized the facility in the past six months.
 - (3) Not later than fourteen days after the facility has ceased to accept infectious waste, all untreated infectious wastes shall be removed from the facility and transported to an authorized treatment facility.
 - (4) Not later than thirty days after the facility has ceased to accept infectious waste for treatment, thoroughly clean all waste handling facilities, equipment, and areas on the premises where infectious waste was handled, managed, or stored. For purposes of this rule, thorough cleaning of an infectious waste treatment facility, at a minimum, shall include the following actions:

- (a) All areas of the facility including, but not limited to, all containers, equipment, machines, floors, and facility surfaces that were in contact with untreated infectious wastes at any time during the operation of the facility shall be washed or otherwise subjected to procedures that substantially reduce or eliminate any remaining constituents or contaminants derived from contact with infectious wastes using one of the following approved disinfectants:
 - (i) A U.S. EPA registered hospital disinfectant that is also tuberculocidal, for a contact time as specified by the manufacturer.
 - (ii) An unexpired dated stabilized bleach product that is a U.S.EPA registered hospital disinfectant that is also tuberculocidal, for a contact time as specified by the manufacturer.
 - (iii) A minimum ten per cent sodium/potassium hypochlorite solution prepared immediately prior to use with a minimum of thirty minutes of contact time.
- (b) Remove and properly dispose of any quench pit or water tank residue and liquids remaining at the facility;
- (c) Maintain the facility management plan, as required by paragraph (I) of rule 3745-27-32 of the Administrative Code at the closed treatment facility for three years. An alternative site may be approved by Ohio EPA.
- (d) Post signs so they are easily visible at all points of access leading into the facility, stating that the facility is closed for all infectious waste treatment activities. The signs shall be maintained in legible condition for not less than six months after closing the facility. The text of the signs, in letters not less than three inches high, required by this paragraph shall state as follows:

"This facility is closed for infectious waste treatment."

The following text shall be included on the signs, in letters not less than one inch high, as required by this paragraph:

"The unauthorized disposal of infectious wastes at this facility constitutes open dumping which is a violation of Chapter 3734. of the Revised Code. Whoever recklessly violates Chapter 3734. of the

Revised Code may be guilty of a felony, punishable by a fine of at least ten thousand dollars but not more than twenty-five thousand dollars or imprisoned for at least two years but not more than four years, or both."

- (E) Closure certification. Not later than thirty days after completing the requirements as specified in this rule or before the closed facility may be converted to other uses, whichever occurs first, the owner or operator shall submit to the appropriate Ohio EPA district office and to the board of the approved local health district, written certification that the facility has been closed in accordance with this rule. The final closure certification shall be signed and notarized by the owner or operator. The signature on the document shall constitute personal affirmation that all statements and all assertions of fact made in the document are true, accurate, include all required information, and comply fully with applicable rules.