



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor  
Dee Freeman, Secretary

September 19, 2012

CERTIFIED MAIL: 7009 3410 0002 1428 4887  
RETURN RECEIPT REQUESTED

Stericycle, Inc.  
Don Nuss  
Regional Environmental Manager  
4357 Ferguson Drive, Suite 100  
Cincinnati, OH 45245

**SUBJECT: Notice of Deficiency**  
Compliance Inspection Report  
Stericycle, Inc. Medical Waste Incinerator Facility  
Permit Number: 01-02  
Alamance County

Dear Mr. Nuss:

On May 30, 2012, John Patrone, representing the State of North Carolina, Division of Waste Management - Solid Waste Section ("Section"), inspected the above referenced facility for compliance with North Carolina Solid Waste Statutes and Rules. You and Mr. Skrzypczak were present representing Stericycle, Inc. During this inspection the following item was noted:

15A NCAC 13B .1207(1)(a), "Refrigeration at an ambient temperature between 35 and 45 degrees Fahrenheit shall be maintained for regulated medical waste not treated within seven calendar days after shipment."

The above deficiency compromises the protection of the public health and the environment requiring remedial action on behalf of the facility in order to achieve compliance with 15A NCAC 13B .1207(1)(a). The written facility comprehensive inspection report sent electronically to Stericycle, Inc. personnel Don Nuss, Regional Environmental Manager, and Alan Skrzypczak, Facility Manager, on July 6, 2012, includes the following requirements:

- (30) Ensure regulated medical waste refrigerated is at an ambient temperature between 35 and 45 °F.
- (31) Regulated medical waste not treated within seven calendar days after shipment from the generator shall be refrigerated.
- (32) Within 15 days of receipt of this inspection report, provide SWS-Permitting Branch an amended facility operations plan outlining the procedure to ensure regulated medical waste is treated within seven calendar days of shipment from the generator if not refrigerated.

On July 26, 2012 Stericycle, Inc. personnel met with Section staff to discuss the matters raised in the inspection report. It was agreed during the meeting that Stericycle Inc. would submit an amended facility operations plan which would include a specific timeline for obtaining refrigerated trailers, a waste bypass plan to account for routine incinerator maintenance/downtime while maintaining compliance with 15A NCAC 13B .1207, and discussion of how the facility will comply with delivery, storage, refrigeration, and treatment requirements of the rules.

As required by 15A NCAC 13B .1207(1)(h), "A plan shall be prepared, maintained and updated as necessary to ensure continued proper management of regulated medical waste at the facility." Stericycle, Inc. submitted a "Revised Treatment Facility Operations Plan" dated August 9, 2012, which was received by the Section on August 10, 2012. The plan did not contain a timeline for which refrigerated trailers would be obtained, an incinerator maintenance/downtime bypass plan for maintaining compliance with 15A NCAC 13B .1207, or a procedure for compliance with 15A NCAC 13B .1205, .1206, and .1207. Also note that if the August 9 "Revised Plan" is intended to revise, add to, or omit sections of the existing "Incinerator Operating Plan" dated February 2012, these changes are unacceptable to the Section.

**Within 14 days of receipt of this notice of deficiency, provide the Section with an updated plan that will bring the facility into compliance with 15A NCAC 13B .1200. The plan shall include specific reference to 13B .1205(7), .1205(8), .1206(4), .1207(1)(a), and .1207(1)(b). The plan shall also describe steps Stericycle, Inc. will take in both the interim and long term to achieve and maintain compliance with the North Carolina Medical Waste Management Rules at the Medical Waste Incineration Facility in Alamance County, NC.**

For guidance, refer to the following:

15A NCAC 13B .1205(7) requires medical waste to be delivered to a permitted storage or treatment facility within seven days of the date of shipment from the generator.

15A NCAC 13B .1205(8) requires regulated medical waste to be refrigerated if not delivered from the generator for treatment within seven calendar days.

15A NCAC 13B .1206(4) states that regulated medical waste shall not be stored longer than seven calendar days from the date of shipment from the generator unless the regulated medical waste is refrigerated at an ambient temperature between 35 and 45 degrees Fahrenheit.

15A NCAC 13B .1207(1)(a) requires that regulated medical waste be refrigerated if not treated within seven calendar days after shipment from the generator.

15A NCAC 13B .1207(1)(b) requires that regulated medical waste be stored prior to treatment for no more than seven calendar days after receipt (unrefrigerated and refrigerated) at the treatment facility.

130A-290(41) Storage means the containment of solid waste, either on a temporary basis or for a period of years, in a manner which does not constitute disposal.

15A NCAC 13B .1201(2) Generating Facility means any facility where medical waste first becomes a waste.

A review of Agency files for the medical waste incinerator indicates that the facility utilized refrigerated trailers on site at least until January, 2010. Facility Comprehensive Inspection Reports state that waste is staged and processed directly from refrigerated trailers. The "Operations and Contingency Plan" for the incinerator, attached at Appendix G to the "Incinerator Operating Plan" revised February, 2012, states in paragraph A. (1): "The waste is received at this facility 24 hours per day, seven days per week. The waste is stored in refrigerated trailers until it is ready to be processed. When it is time to process the waste, it is removed from the trailer and staged by the conveyer or scale."

Failure to comply may subject the facility and/or all responsible parties to enforcement actions including a notice of violation, civil penalty, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules. Pursuant to NCGS 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions, please contact me at 336-771-5095 or e-mail: [john.patrone@ncdenr.gov](mailto:john.patrone@ncdenr.gov).

Sincerely,



---

John Patrone  
Environmental Senior Specialist  
Solid Waste Section

Copies: Michael E. Scott, Chief  
Mark Poindexter, Field Operations Branch Head  
Ellen Lorscheider, Environmental Supervisor  
Jason Watkins, Western District Supervisor  
Bill Patrakis, Senior Environmental Scientist  
Larry Frost, Environmental Engineer  
Jessica Montie, Compliance Officer  
Margaret Love, Regional Air Quality Supervisor, DAQ-WSRO  
Al Burson, Corporate Dir. of Env. Quality - Stericycle, Inc.  
Dale Rich, Regional Operations Dir. – Stericycle, Inc.