



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

BOSTON, MA 02114-2023

Dated via electronic signature stamp

Mr. John Callahan, Acting Deputy Medical Center Director
VA Connecticut Healthcare System
950 Campbell Avenue
West Haven, CT 06516

RE: **NOTICE OF VIOLATION** of the Resource Conservation and Recovery Act
Act of 1976 (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C.
6622(a) and 6924(d) through (m), and the Regulations of Connecticut State Agencies (RCSA):
§§ 22a-449(c)-100 through 449(c)-119.

Dear Mr. Callahan:

On June 8-9, 2023, representatives of the United States Environmental Protection Agency ("EPA") completed a Compliance Evaluation Inspection of VA Healthcare Systems ("VA"), EPA ID # CTD5000001545. The purpose of this inspection was to determine VA's compliance with the relevant hazardous waste management regulations for the State of Connecticut and the corresponding federal hazardous waste management regulations found at 40 CFR Parts 260-272.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of RCSA §§ 22a-449(c)-100 through 449(c)-119 and the corresponding federal Hazardous Waste Management Regulations found at 40 CFR Parts 260 through 272. The violations are set forth below:

- 1. Failure to mark the date upon which each period of accumulation begins on containers hazardous waste, as required by RCSA Sec. 22a-449(c)-102(a)(1), which incorporates by reference 40 CFR 262.34(a)(2).**

Specifically, the following container of hazardous waste was not marked with the date accumulation began:

one 5-gallon, white container of barium sulfate located in Hazardous Waste Storage Unit 2 was not dated.

- 2. Failure to mark containers of hazardous waste with the words "Hazardous Waste" and other words that identify the contents of each container or tank, such as**

“Flammable”, “Acid”, “Alkaline”, “Cyanide”, “Reactive”, “Explosive”, “Halogenated Solvent” or the chemical name.

Specifically, the following containers were not properly labeled at the time of the inspection:

one vial labeled as ketamine/xylazine waste located in the Building 2 Cardiology Lab was not labeled as hazardous waste;

one 5-gallon container in the Building 4 Psychiatry Room Research Lab was not labeled and containers of corrosive sand located in the same area was labeled but did not include words that identified the contents; and

one 5-gallon, black container in flammable cabinet in the Building 4 hallway was labeled as hazardous waste, silica gel, sodium sulfate, but the markings of the content were in chemical formula.

3. Failure to close containers of hazardous waste, as required by RCSA Sec. 22a-449(c)-102(a)(1)(E), which incorporates by reference 40 CFR 265.173(a).

Specifically, the following containers of hazardous waste were not closed at the time of the inspections:

one 55-gallon container labeled as hazardous waste, deactivated MRSA cartridges (sodium hydroxide,) located in the Building 1 Clinical Lab SAA.

4. Failure close and properly mark containers of universal hazardous with the date and one of the following phrases: “Universal Waste-Lamp(s)” or “Waste Lamps(s),” or “Used Lamp(s),” as required by RCSA Sec. 22a-449(c)-113(2)(R), which incorporates by reference 40 CFR 273.33(d)(1) and 22a-449(c)-113 which references 40 CFR 273.34(e) and 273.359(c)(2).

Specifically, there was one open 5’ round container of universal waste lamps container located in the Building 2 Utility Room that that was not labeled or dated.

5. Failure to maintain emergency coordinator phone numbers in areas storing hazardous waste, as required by RCSA Sec. 22a-449(c)-102(a)(1), which incorporates by reference 40 CFR 262.34 (d)(5)(ii)

Specifically, the emergency contact sign posted at Building MAA-50 Hazardous Waste

Accumulation Area was outdated and did not have the current emergency contact information. The posting included names of employees that no longer work at VA and did not include Thomas Hemenway, the GEMS program manager.

VA must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.

Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address requirements number 1 through 5 above. Submit the information **(electronic submission preferred)** to:

papetti.lisa@epa.gov

OR

Lisa Papetti, Environmental Engineer
U.S. Environmental Protection Agency
Waste and Chemical Compliance Section
5 Post Office Square, Suite 100, [Mail code: 5-MO]
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject the facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Lisa Papetti, of my staff, at papetti.lisa@epa.gov or by phone at (617) 918-1756.

Sincerely,

MARY

ODONNELL

Mary Jane O'Donnell, Manager

Waste and Chemical Compliance Section

Digitally signed by MARY
ODONNELL

Date: 2024.02.05 13:42:44
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cc: Mr. Thomas Hemenway, GEMS Program Manager, VA Healthcare System
Joseph Schiavone, CTDEEP

