



City of Seattle
Norman B. Rice, Mayor

King County
Tim Hill, Executive

Seattle-King County Department of Public Health
Bud Nicola, M.D., M.H.S.A., Director

CERTIFIED MAIL NO. P 686 005 480

February 15, 1990

Kleenwell Biohazard Waste & General Ecology Consultants
17800 Des Moines Way South
Seattle, WA 98148

Attention: Mr. Enoch Rowland

Dear Mr. Rowland:

The Seattle-King County Department of Public Health has received and reviewed the waiver request submitted by your company for the storage of infectious waste. Based on the information you have provided us, the previous history of Kleenwell, and communications with other agencies, we must disapprove your waiver request. Additionally, the permit to haul infectious waste is also revoked immediately. The disapproval of the waiver request and the revocation of the permit are based on the following criteria:

1. Lack of adequate information: The Health Department has requested written confirmation of the final treatment and disposal site for the infectious waste you haul per 10.28.030 of Code of the King County Board of Health ("Infectious waste shall be delivered for treatment only to a facility that meets all local, state and federal environmental regulations"); 10.20.020 ("Applicants for an infectious waste transporter permit shall also state the legal description of the site(s) that the applicant is planning to use to treat the infectious waste") and 10.28.045 ("Should the holder of the infectious waste permit desire to transport infectious waste to a site other than the site listed in the current permit application, the permittee shall first obtain written approval of said site from the health officer"). The latest information we received concerning this issue simply states: "As of the 15th of March, 1990, we will transport the waste via our own truck. Needed documentation will be provided at that time." We cannot approve a permit for transport of infectious waste unless we have definite information regarding the disposition of that waste and have determined the current status of the site. We would, at a minimum,

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| WUTC |
| Cause No. _____ |
| Exhibit # <u>16</u> |
| Witness _____ |
| Date _____ |

the name and the location of the facility; merely stating the city and state is not adequate information.

We have also requested information regarding the storage time of the waste. Mr. Bob Sanders informed Shelley Kneip orally upon the initial investigation of your storage practices that the waste was picked up by American Environmental every two weeks. Conversations with American Environmental indicated that this was not the case. When your representative was asked about this, he stated that he meant by the earlier statement was that there was two weeks worth of infectious waste stored at that time. The waiver request states that storage time will be 90 days for sharps and 7 days for nonsharps. It also states that other categories of infectious waste will be autoclaved or stored at a temperature of 50C for longer periods of time. The Health Department requested additional information on how the autoclaving process would take place and be verified. This information has not been provided to us.

2. Operating history: In August, 1989, the Health Department issued a permit for the operation of a transport vehicle for infectious waste. At that time, it was stipulated that there be no storage of infectious waste, and that the waste would be taken directly to SureWay Incineration in Seattle. It subsequently came to our attention that the operation was storing the waste; that you had changed the transporter with whom your company was contracting (from SureWay to American Environmental); and that boxes of infectious waste were being consolidated. The Health Department was not notified of any of these changes. It was also brought to our attention that the Washington Utilities and Transportation Committee has ordered your company to cease operation because you do not possess a valid permit from that agency.

10.20.030 (Permit Issuance) states:

The health officer may also suspend or revoke a permit during its term for noncompliance with conditions of the permit, the permittee's failure to disclose relevant facts at any time, or if the permittee's activity endangers or manifests irresponsibility concerning public health or the environment.

It is the opinion of the Health Department that your company's past history demonstrates all of the above criteria for revocation of the permit. The Health Department hereby revokes the permit for the transport of infectious waste.

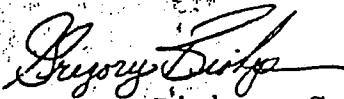
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In addition to immediately ceasing the transport of infectious waste, we request that you notify your clients of this decision to allow your clients to make other arrangements for the disposal of the infectious waste generated at their facilities.

VIOLATION OF THIS ORDER OF REVOCATION IS HEREBY DEEMED AN IMMEDIATE AND IRREPARABLE THREAT TO PUBLIC HEALTH. Any person aggrieved by an order of the director of the Health Department, may appeal the order before the County Hearing Examiner. A copy of Section 1.08.140 of the Code of the King County Board of Health, which describes the appeals process, is enclosed.

Please direct inquiries regarding this order to Shelley Kneip at 296-4831.

Sincerely,



Gregory Bishop, Supervisor
Solid Waste Program

GB:skt
Enclosure

cc: WUTC
American Environmental
SureWay Incineration

/nd