

Summary of Proposed Amendments to the Infectious & Chemotherapeutic Waste Regulations

SOLID WASTE ADVISORY COMMITTEE MEETING
September 26, 2013

Major Regulatory Changes

1. Change in terminology from “infectious waste” to “regulated medical waste.” All references to “infectious waste” in the current regulations have been revised to “regulated medical waste” in the proposed regulations. “Regulated medical waste” is the term that is widely used by other states and the federal government. Therefore, this change in terminology will align Pennsylvania regulations with the federal requirements and the requirements of other states, allowing persons who generate and manage infectious and chemotherapeutic waste to do so in a manner that complies with Pennsylvania law while being consistent with other requirements.

This change in terminology will:

- a. Remove unnecessary regulatory burdens, such as using containers for medical waste without additional labeling requirements unique to Pennsylvania;
 - b. Reduce costs for industry by promoting efficient business practices for generators and transporters of medical waste;
 - c. Provide a consistent and safe program for managing medical and chemotherapeutic waste; and
 - d. Provide clarity for persons managing medical and chemotherapeutic waste across several jurisdictions.
2. Changes to the manifest requirements. Any person who generates, transports, stores, processes, or disposes of infectious and chemotherapeutic waste must track the waste through the shipping process to its arrival at a disposal facility. The current regulations prescribe the use of paper manifests to ensure that the waste being shipped is processed or disposed of in the manner intended by the generator. The proposed regulations allow generators, transporters and those involved in the storage, processing and disposal of regulated medical waste to use standard business documentation, including electronic tracking systems, to demonstrate compliance with the regulations, provided that all of the required information is contained in that documentation.

Other Significant Changes

1. Chapter 284, Subchapter E:
 - a. Allows generators to store medical waste for longer periods of time from the date the container is full or the date the generator seals the container, whichever occurs earlier, giving generators more control over the length of time the waste may be stored onsite and promoting more efficient business practices by reducing the need to transport partial loads.

2. Chapter 284, Subchapter H:
 - a. Revised manifest and recordkeeping requirements to facilitate standard industry practices. Eliminates prescriptive and cumbersome requirements for copies and distribution of manifests.
 - b. Clarifies that entities are allowed to mail medical waste in shipping containers with the authorization of the U.S. Postal Service.

3. Chapter 284, Subchapter A: Provides permits-by-rule for qualifying processing facilities, including:
 - a. Facilities which implement autoclaves, incinerators, steam, chemical disinfection techniques;
 - b. Small quantity generators;
 - c. Transfer facilities that temporarily store regulated medical or chemotherapeutic waste for less than 72 hours if the waste is stored in its original packaging.
 - d. Facilities operated by organizations, such as visiting nurses and blood collection agencies, which generate regulated medical waste at multiple locations and consolidate it at one location for processing or disposal.

4. Chapter 284, Subchapter F:
 - a. Clarifies that a generator may combine its municipal waste with its ash residue, resulting from the incineration of its regulated medical and chemotherapeutic waste, and transport the combined waste in a single load;
 - b. Clarifies that a transporter must transport a generator's ash residue in a load that is separate from the ash residue of other generators. Ash residue from multiple generators cannot be commingled and transported in one load;
 - c. Eliminates requirement that regulated medical waste be transported in a separate vehicle from municipal wastes. The proposed regulations allow municipal waste and regulated medical waste to be transported in the same vehicle provided that the regulated medical waste is properly containerized and not commingled with the municipal waste;

Benefits of the Proposed Changes

1. Simplifies the labeling requirements to reduce costs and ensure consistency with other states and the federal government.
2. Allows generators, transporters and processors to use standard business documentation to demonstrate compliance with the regulations instead of a prescribed, outdated paper manifest.
3. Provides an alternate transportation and disposal option by removing barriers to shipping waste through the mail where authorized by the U.S. Postal Service.
4. Encourages labor and fuel efficiency by allowing haulers to transport regulated medical waste with other wastes in the same vehicle.

Changes since 2011 SWAC Review

1. Additional clean-up of text.
 - a. Additional errors in text have been corrected, such as misspellings or incorrect regulatory references.
 - b. Additional references to “infectious waste” have been revised to “regulated medical waste”

Timeline of Regulatory Package

1. Proposed revisions were published in the *Pennsylvania Bulletin* on August 24, 2013, and open for public comment from August 24 through September 23, 2013.
2. Presentation of the final rulemaking to the SWAC is expected in late summer/early fall of 2014.
3. Presentation of the final rulemaking to the EQB is expected in November 2014.
4. Publication of the final rulemaking in the *Pennsylvania Bulletin* is expected in early spring of 2015.

More Information:

1. This proposed regulation is accessible at <http://www.pabulletin.com>.
2. Contact:

Ali Tarquino Morris
Program Development and Support Section
Bureau of Waste Management
PO Box 69170
Rachel Carson State Office Building
Harrisburg, PA 17106-91710
(717) 783-2388
altarquino@pa.gov