**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**CHAPTER 515. MANAGEMENT OF SOLID WASTE**

Before the Solid Waste Management Advisory Council at 9:00 a.m. on January 12, 2023.

Before the Environmental Quality Board on February 17, 2023.

**RULE IMPACT STATEMENT**

Subchapter 23. Regulated Medical Waste Management

Part 1. General Provisions

252:515-23-1 [AMENDED]

252:515-23-2 [AMENDED]

**DESCRIPTION:** The Department of Environmental Quality (DEQ) is proposing to amend OAC 252:515. The gist of this rulemaking is to make minor changes to clarify existing language related to the generation of Regulated Medical Waste and acknowledge generators may be subject to rules of other agencies.

**CLASSES OF PERSONS AFFECTED:** Small quantitygenerators of regulated medical waste will be required to comply with the proposed rulemaking.

**CLASSES OF PERSONS WHO WILL BEAR COSTS:** Small quantity generators of regulated medical waste will bear the costs of complying with the proposed rulemaking.

**INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** No information was provided to the DEQ by any private or public entities regarding cost impacts for the proposed rulemaking.

**CLASSES OF PERSONS BENEFITTED:** The general public and small quantity generators of regulated medical waste will benefit from the proposed rulemaking as it provides a clearer definition of small quantity regulated medical waste generator and acknowledges that generators may be subject to rules of other agencies.

**PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** Small quantity generators of regulated medical waste are currently subject to OAC 252:515; therefore, minimal economic impact is anticipated as a result of the proposed rulemaking.

**PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** Small quantity regulated medical waste generators, if owned and/or operated by a political subdivision, are currently subject to OAC 252:515; therefore, minimal economic impact is anticipated as a result of the proposed rulemaking.

**POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** No adverse impact on small business is anticipated.

**LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** None.

**PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** DEQ will incur and absorb any additional costs associated with the proposed rulemaking, though none are anticipated. The benefit to DEQ is improving the clarity of Chapter 515.

**PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** None.

**SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** The source of revenue to be used to implement and enforce the proposed rulemaking are fees previously established and collected pursuant to 27A O.S. § 2-10-802.

**PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** None.

**COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** No cooperation of political subdivisions is required for the proposed rulemaking.

**EXPLANATION OF THE MEASURES DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** The DEQ will be absorbing any additional costs associated with the proposed rulemaking, though none are anticipated, and will not be proposing any additional permitting or disposal fees at this time.

**DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** There are no other such methods of achieving the purpose of the proposed rule.

**DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:** The proposed rulemaking will have a positive effect on public health, safety, and the environment by providing a clearer definition for small quantity regulated medical waste generator and acknowledging that generators may be subject to rules of other agencies.

**IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** The proposed rulemaking is designed to reduce risks to public health, safety, and the environment by ensuring that Chapter 515 is clear and concise.

**DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** If the proposed rulemaking is not implemented, DEQ’s ability to consistently regulate generators of regulated medical waste could be affected.

**PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES, INCLUDING QUANTIFIABLE DATA WHERE POSSIBLE:** The proposed rulemaking will impact business entities that generate regulated medical waste. However, the qualitative and quantitative impact on these business entities will be minimal, as the proposed rulemaking is to more clearly define small quantity regulated medical waste generator in Chapter 515 and acknowledge that generators may be subject to rules of other agencies.

**THIS RULE IMPACT STATEMENT WAS PREPARED ON:** December XX, 2022.