

Draft Rule Changes for Regulated Medical Waste  
For Discussion Only  
September 8, 2022, SWMAC

252:515-23-1. Applicability and exclusions

(a) Federal requirements. Persons or facilities involved in the handling, storage, packaging, labeling, and/or transportation of regulated medical waste may be subject to requirements of the federal Department of Transportation (49CFRPart173), the federal Occupational Safety and Health Administration (29 CFR 1910.1030), or other federal or state agencies.

**(b) Oklahoma State Department of Health requirements.** Generators of regulated medical waste may be subject to additional provisions required by the Oklahoma State Department of Health.

~~(b)~~ **(c) Commercial processing facilities.** Commercial regulated medical waste processing facilities are subject to the requirements of Parts 1 and 3 of this Subchapter as well as Part 3 of OAC252:515-19.

~~(c)~~ **(d) Commercial incinerators.** Commercial regulated medical waste incinerators are subject to the requirements of (b) of this Section and Part 5 of this Subchapter.

~~(d)~~ **(e) Shared services facilities.** Shared services facilities shall meet the standards of OAC252:515-23-32(b), 33, 34, and 35, but are not required to obtain DEQ approval.

~~(e)~~ **(f) Exclusions.**

(1) General. The following are not subject to the requirements of this Subchapter if they do not contain any regulated medical waste:

- (A) wastes generated by the processing or caring for animals, except for untreated sharps and those wastes identified in subparagraph (F) of the definition of "regulated medical waste";
- (B) regulated medical wastes treated in accordance with OAC 252:515-23-4;
- (C) biological products distributed for any purpose other than treatment and disposal;
- (D) diagnostic specimens shipped to a qualified diagnostic laboratory;
- (E) laundry or medical equipment conforming to 29 CFR 1910.1030;
- (F) corpses, remains, and/or anatomical parts intended for ceremonial interment or cremation.

(2) Hazardous waste. Hazardous waste is not subject to the requirements of this Subchapter, but shall be subject to the requirements of OAC 252:205.

(3) Household waste. Household wastes are not subject to the requirements of this Subchapter even if they contain regulated medical wastes generated in the household from treatment of a resident of the household.

252:515-23-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Commercial regulated medical waste incinerator" means a waste processing facility operated as a business for profit for incineration of regulated medical wastes generated by others.

"Commercial regulated medical waste processing facility" means a facility operated as a business for profit that is designed and operated principally for the purpose of processing, including transfer of, regulated medical wastes generated by others. Such facilities shall include those engaged in the processing of regulated medical waste on mobile vehicles at a generator location.

"Commercial transporter" means an owner/operator of any vehicle transporting regulated medical waste generated by others as a business for profit.

"Etiologic agent" means a viable microorganism, or toxin, that causes or may cause disease in humans or animals, and includes those agents listed in 42 CFR 72.3, and any other agent that causes or may cause severe, disabling or fatal disease. The term "etiologic agent" is synonymous with the term "infectious substance" as defined in 49 CFR 173.134.

"Generator" means the owner/operator of any facility, institution, or business that produces regulated medical waste in any quantity.

"Microbial inactivation" means a 4Log<sub>10</sub> (99.99%) or greater reduction of:

(A) *B.stearothermophilus*(ATCC7953) when utilizing steam sterilization for treatment of regulated medical waste;

(B) *B.subtilis* (ATCC 19659) when using dry heat or microwave methods for treatment of regulated medical waste; or

(C) other appropriate indicator organisms and kill efficacy for the treatment method chosen and as approved by the DEQ.

"Shared services facility" means a hospital or clinic that provides treatment of regulated medical waste generated by another institution (including doctor's offices, medical laboratories and nursing homes) for the purpose of providing a service rather than generating revenue.

"Sharps" mean hypodermic needles, Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, culture dishes, and glassware such as used slides and cover slips.

**"Small quantity regulated medical waste generator"** means a generator that can document it generates less than sixty (60) pounds of regulated medical waste per month from one physical location and makes records of generation available to DEQ upon request.

"Untreated sharps" means sharps that are to be disposed for any reason, but have not been treated in accordance with OAC 252:515-23-4(b).

252:515-23-3. Disposal of untreated, regulated medical waste

(a) MSWLF. The disposal of the following is prohibited in a MSWLF, a municipal solid waste receptacle or a municipal solid waste transfer station:

(1) all quantities of untreated sharps, even if generated by a small quantity regulated medical waste generator; and

(2) all quantities of other untreated, regulated medical waste, except that generated by a small quantity regulated medical waste generator.

(b) Liquids. Liquid regulated medical wastes (except chemical wastes, or antineoplastic or cytotoxic drugs) may be discharged into the collection system of a POTW within the generating facility if:

(1) written approval of the POTW has been obtained; and

(2) the POTW provides secondary treatment.