

9441.1989(24)

AUG 16 1989

MEMORANDUM

SUBJECT: Final Monthly Report-RCRA/Superfund Industry Assistance
Hotline and Emergency Planning and Community Right-To-Know
Information Hotline Report for May 1989

FROM: Thea McManus, Project Officer
Office of Solid Waste

TO: See List of Addressees

This report is prepared and submitted in support of Contract #68-01-7371

I. SIGNIFICANT QUESTIONS AND RESOLVED ISSUES-MAY 1989

A. RCRA

1. Medical Waste-Household Medical Waste

According to Section 259.30(b)(1)(ii) of the Medical Waste Tracking regulations (54 FR 12374), household waste is not regulated as medical waste. Would this exemption apply to household waste generated by health care providers in private homes?

Household waste, as defined in Subtitle C regulations (40 CFR Section 261.4(b)), is excluded from the definition of medical waste in RCRA Section 1004(40), and is not subject to the requirements of the demonstration program. The November 13, 1984 Federal Register (49 FR 44978) stated that the exclusion is limited to waste generated by individuals on the premises of a residence, for individuals and composed primarily of materials found in waste generated by consumers in their homes. Thus, if domestic waste is generated by individuals at a residence, it is "household waste" and thus excluded from this program. Medical waste generated in homes by home health care providers thus is "household waste." Because the household wastestream is excluded, the waste generated by a health care provider in private homes would not be subject to the tracking or management requirements even when the waste is removed from the home and transported to the physician's place of business.

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