

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 22, 1990

Mr. Robert M. Confer
Bureau of Special Waste Planning
Department of Environmental Protection
CN 414
Trenton, NJ 08625-0414

Dear Mr. Confer:

Thank you for your letter of March 14, regarding medical waste questions posed by the regulated community in the state of New Jersey. One or more of your questions may appear in subsequent Question and Answer documents.

Generators of regulated medical waste (RMW) are required in Section 259.40 to segregate RMW from other wastestreams to the extent practicable prior to placement in packages. These minimal segregation procedures were intended not only to control the costs associated with disposal of RMW, but also to ensure the safety of waste handlers and protect the integrity of the RMW packages. However, if generators choose to package non-regulated medical waste in the same packages as RMW, then the entire contents must be packaged, labeled, and marked according to the requirements found at Sections 259.41, 259.44 and 259.45.

As you have noted in your letter, transfer stations within New Jersey are becoming increasingly more reluctant to accept any items generated in a medical facility. While the practice of mixing non-regulated medical waste with RMW is not recommended, neither is it prohibited under the current regulations. It should be noted that if the generator elects not to properly segregate wastes and thereby generates mixed wastes, this will not only cause increased waste disposal costs but cause the weight, recorded in Box 13 of the tracking form, to be much higher. Subsequently, the actual quantity of RMW being generated could be much lower than the quantities/weights indicated on the tracking forms.

Your second question deals with the generation of blood and body fluids during the provision of emergency treatment and/or medical services. Section 259.30 (a), as you know, generally defines regulated medical waste as "solid waste generated in the diagnosis, treatment, (e.g., provision of medical services), or immunization of human beings..." which is listed in Classes 1-7. Certain classes of wastes, such as those generated in the home as part of home health care, are excluded from this definition and thus not regulated under Part 259. Medical wastes which are contaminated with specific body fluids or saturated and/or dripping with human blood or were saturated and/or dripping and are now caked with dried human blood would be regulated as Class 2 and Class 3 RMW respectively.

In an emergency situation, a variety of medical wastes may be generated. When medical treatment is provided by emergency medical services personnel for instance, a small amount of RMW would be generated. RMW when removed from the emergency vehicle and discarded at the medical facility or at the emergency service's place of business would be regulated under the Part 259 regulations.

However, these regulations exempt certain small quantity wastes, including those discarded at the medical facility or emergency services place of business from certain requirements. The exemption found at 259.51 (a) allows generators of less than 50 pounds of RMW per month to be exempt from the requirement to use a transporter who has notified EPA, use the tracking form, and exempt from the transporter requirements provided that:

1. a. the RMW is transported to a health care facility, an intermediate handler, or a destination facility with which the generator has a written agreement to accept the RMW; or
- b. the generator is transporting the RMW from the original generation point to the generator's place of business; and
2. the RMW is transported by the generator in a vehicle owned by the generator or an authorized employee; and
3. the generator compiles a shipment log and maintains the records required in Section 259.54 (b) (2).

The third question in your letter was in regard to the regulation of unused glass vacuum tubes. Section 259.30 (a) lists those items included in Class 7 when unused due to physical hazards. This Class is limited to hypodermic needles, suture needles, syringes and scalpel blades. Unused glass vacuum tubes would therefore not be a regulated medical waste.

If you need further information or have additional questions please contact Mary Greene 202-475-7736.

Sincerely,

Devereaux Barnes
Characterization and Assessment

FaxBack # 11511

