

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

Aug 8, 1990

Mr. H. W. Krueger  
The Proctor & Gamble Company  
Winton Hill Technical Center  
6100 Center Hill Road  
Cincinnati, OH 45224-1788

Dear Mr. Krueger:

Thank you for your letter dated March 7, 1990 regarding absorbent incontinence products manufactured by The Proctor and Gamble Company. In your letter you requested information on states participating in the demonstration program and the regulatory status of wastes generated in a health-care setting, which are used to treat incontinency.

First, the states that are participating in the demonstration tracking program are: New York, New Jersey, Rhode Island, Connecticut, and Puerto Rico. While these states have adopted the Federal Part 259 regulations, several have promulgated additional state specific regulations. States not participating in the demonstration program, may have regulations on medical wastes which are state specific. For information on state regulations, please contact the agency within the state of interest, for the status of medical waste regulations. Additionally, facilities which are accepting regulated medical waste, but are not located in a state participating in the demonstration program must still comply with the Part 259 regulations.

Secondly, the Part 259 regulations define medical waste as "solid waste generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing or biologicals." Regulated medical waste (RMW) is a subset of the medical wastestream. The classes of RMW and a description of each class are listed in Section 259.30(a). As you are aware, items used in the treatment of incontinency are not specifically listed in any of the classes, however, these items would be regulated in specific situations. For instance, these items would be regulated when they are used in treatment and:

1. The item is saturated and/or dripping with human blood;
2. The item has been saturated and/or dripping with blood but it is now caked with dried human blood;
3. The item is saturated and/or dripping with certain body fluids as defined in Section 259.10(b). Semen and vaginal secretions are included in this definition; or

4. The item is contaminated with blood, excretions, exudates, or secretions from humans who are isolated to protect others from certain highly communicable diseases.

Finally, you should know that all transporters are required under Section 259.72 to notify the Agency that they are transporting RMW and receive an identification number.

If you need further information, or have additional questions please contact Mary Greene of my staff, at 202-475-7736.

Sincerely,

Devereaux Barnes, Director  
Characterization and Assessment  
Division

FaxBack # 11548