

Executive Summary

25 Pa. Code Chapters 271, 272, 273, 284, 285, 287, 288, and 299

Regulated Medical and Chemotherapeutic Waste

The Department of Environmental Protection (Department) recommends amendments to Chapter 271 (relating to municipal waste management – general provisions), Chapter 272 (relating to municipal waste planning), Chapter 273 (relating to municipal waste landfills), Chapter 284 (relating to infectious and chemotherapeutic waste), Chapter 285 (relating to storage, collection and transportation of municipal waste), Chapter 287 (relating to residual waste management – general provisions), Chapter 288 (relating to residual waste landfills), and Chapter 299 (relating to storage and transportation of residual waste) for consideration by the Environmental Quality Board (Board).

Summary of the Proposed Rulemaking

The proposed amendments modify existing terminology so that medical waste is identified under Pennsylvania regulation in a manner consistent with the federal requirements and the requirements of other states. With the revision in terminology, the proposed amendments also simplify the labeling requirements for medical waste to reduce costs and ensure consistency with the requirements of other states and the federal government. In addition, the proposed amendments provide 7 new permits-by-rule for qualifying processors of medical waste and allow generators, transporters and those involved in storage and processing to use standard business documentation, including electronic tracking systems, to demonstrate compliance with the regulations in lieu of the currently prescribed, outdated paper manifest. The amendments also encourage labor and fuel efficiency by allowing haulers to transport regulated medical waste and chemotherapeutic waste with other wastes in the same vehicle and by allowing facilities more time to completely fill a vehicle before that vehicle must be placed into service. Finally, the amendments provide another convenient shipping option by removing barriers to shipping waste through the mail where authorized by the U.S. Postal Service.

Purpose of the Proposed Rulemaking

The proposed amendments will make Pennsylvania's requirements for generators, transporters and processors of medical waste consistent with federal programs and other states. The proposed amendments also simplify compliance with regulations, recognize and support cost effective business practices, while continuing to ensure the protection of public health, safety and the environment.

Affected Parties

No new entities will be affected by this regulation. All generators, processors and transporters of regulated medical or chemotherapeutic waste currently regulated by the Department would be required to comply with these proposed regulations. Generators and processors include providers of medical care such as hospitals, physician offices, veterinary offices, home health

care, nursing home facilities, blood collection agencies, laboratories and research facilities. The Department does not track the number of such generators and processors currently operating in the Commonwealth. As of November 14, 2011, there were 42 transporters of infectious and chemotherapeutic waste licensed by the Department.

Advisory Groups

On September 15, 2011, the Solid Waste Advisory Committee (SWAC) considered and approved the proposed amendments to these regulations.

Public Comments

The Department recommends a 30 day public comment period on these regulations.