

**A Guide to the South Carolina
Infectious Waste Management Regulations
R.61-105**

March 2003



This document contains answers to the most commonly asked infectious waste questions.



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IMPORTANT INFORMATION

THIS DOCUMENT IS NOT LEGAL ADVICE. READ THE ENTIRE DOCUMENT.

This guide is not intended as legal advice, but as an aid to understanding the South Carolina Infectious Waste Management Regulations, R.61-105, through a question-answer format. The infectious waste regulations cited in this document are subject to change.

Please read this entire document. Due to the complex nature of infectious waste regulations, failure to read this entire document may result in failure to comply with the regulations.

REGULATORY AUTHORITY

The South Carolina Infectious Waste Management Act, Act Number 134 of 1989, Chapter 93 of Title 44 of the 1976 Code of Laws, as amended, was passed by the South Carolina General Assembly to require the Department to promulgate comprehensive infectious waste management regulations.

PROGRAM DESCRIPTION

The infectious waste program is a comprehensive program that monitors compliance with the Infectious Waste Management Regulations, R.61-105. The program is actively involved in the registration of generators and transporters. Monitoring of commercial infectious waste transporters, infectious waste generator activities and treatment facilities is accomplished by inspectors' knowledge in environmental regulations. Coordination of field inspectors, central office compliance and enforcement personnel round out the program. The funding for the program is obtained through the collection of fees.

EFFECTIVE DATE

The effective date of the Infectious Waste Management Regulation was June 1, 1991 and revised in May 26, 2000, and June 28, 2002. Regulations are subject to change.

WHO ENFORCES THE REGULATIONS?

The South Carolina Department of Health and Environmental Control, Bureau of Land and Waste Management is responsible for monitoring compliance with the regulations.

JOINT AND SEVERAL LIABILITY

Infectious waste generators are responsible for the storage, collection and disposal of their infectious waste. Generators are responsible for ensuring that infectious waste is transported off site for treatment by a SCDHEC registered

transporter and disposed of at a site or facility which has all applicable permits required to receive waste.

COMMONLY ASKED QUESTIONS BY INFECTIOUS WASTE GENERATORS

(1) WHAT IS INFECTIOUS WASTE? Section E (1) "Infectious waste" means any waste item from research or the health care community which is included in these categories: Sharps, Microbiologicals, Blood and Blood Products, Pathological Waste, Isolation Waste and Contaminated Animal Waste.

The majority of waste produced at any medical facility is not classified as infectious waste. Materials such as office waste, paper from examination tables, unused needles, gauze, and band-aids may not be considered infectious waste and may be disposed of as regular solid waste.

(2) WHAT ARE SHARPS? Section E (1)(a) "Sharps" means any discarded article that may compromise intact skin by causing punctures or cuts, including but not limited to: needles, syringes, pasteur pipettes, lancets, broken glass, and scalpel blades.

(3) ARE PLASTIC SLIDES AND COVER SLIP INCLUDED IN THE DEFINITION OF A SHARP? Section E(1)(a) Yes. The definition of a sharp does not differentiate between materials.

(4) WHAT IS MICROBIOLOGICAL WASTE? Section E (1)(b) "Microbiological waste" means specimens, cultures, and stocks of human pathogenic agents, including but not limited to: waste which has been exposed to human pathogens in the production of biologicals; discarded live and attenuated vaccines; and culture dishes/devices used to transfer, inoculate, and mix microbiological cultures.

(5) WHAT IS INCLUDED IN THE BLOOD CATEGORY? Section E (1)(c) "Blood and body fluids" means all waste unabsorbed human blood, or blood products, or absorbed blood when the absorbent is supersaturated, including but not limited to: serum, plasma and other components of blood, and visibly bloody body fluids such as suctioned fluids, excretions and secretions.

(6) WHAT IS PATHOLOGICAL WASTE? Section E (1)(d) "Pathological waste" means all tissues, organs, limbs, products of conception, and other body parts removed from the whole body, excluding tissues which have been preserved with formaldehyde or other approved preserving agents, and the body fluids which may be infectious due to bloodborne pathogens. These body fluids are: cerebrospinal fluids, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid, amniotic fluid, semen, and vaginal/cervical secretions.

(7) WHAT IS CONTAMINATED ANIMAL WASTE? Section E (1)(e) "Contaminated Animal Waste" refers to animal carcasses, body parts and bedding of animals that have

been intentionally exposed to human pathogens in research or the production of biologicals.

(8) WHAT IS ISOLATION WASTE? Section E (1)(f) "Isolation waste" refers to all waste generated from communicable disease isolation of the Biosafety Level 4 agents, highly communicable diseases, pursuant to the 'Guidelines for Isolation Precautions in Hospitals', published by the Centers For Disease Control. The following is a list of Biosafety Level 4 agents:

CLASSIFICATION OF BIOSAFETY LEVEL 4 AGENTS:

There are no bacteria or fungi that are Biosafety Level 4 agents; all are viruses.

Biosafety Level 4 Agents

Central European encephalitis viruses
Crimean hemorrhagic fever (Congo)
Ebola fever virus
Guanarito
Hemorrhagic fever agents and viruses as yet undefined
Herpesvirus simiae (Monkey B virus)
Junin
Kyasanur forest disease
Lassa
Machupo
Marburg
Monkey pox
Omsk hemorrhagic fever
Russian spring-summer encephalitis
Smallpox
Tick-borne orthomyxoviridae, Dhori and Thogoto
Venezuela equine encephalitis virus
Whitepox
Yellow fever virus

(9) HOW CAN I OBTAIN A COPY OF THE "GUIDELINES FOR ISOLATION PRECAUTIONS IN HOSPITALS"? Call the National Technology Information Service in Springfield, VA at 1-800-553-6847 for a copy of the "Guidelines for Isolation Precautions in Hospitals", Garner, JS, from the Public Health Service, US Department of Health and Human Services, Centers for Disease Control and Prevention, Atlanta, Georgia. For other hospital publications call the Center for Disease Control in Atlanta,

GA at 1-888-329-4232. Note that there is a charge on any publication you order. The guidelines are published in these journals: *Infection Control and Hospital Epidemiology* 1996; 17:53-80, and *American Journal of Infection Control* 1996; 24:24-52.

(10) WHAT IS OTHER WASTE? Section E (1)(g) "other waste" means any other material designated by written generator policy as infectious, or any other material designated by a generator as infectious by placing the material into a container labeled as infectious waste.

(11) CAN I MIX SOLID WASTE WITH INFECTIOUS WASTE? Section E (1)(g) No. Any solid waste that is mixed with infectious waste or solid waste placed in an infectious waste container must be managed as infectious waste.

(12) WHAT IS EXCLUDED FROM THE DEFINITION OF INFECTIOUS WASTE? Section E (2) Hazardous waste, radioactive materials, infectious waste generated in a private residence, and etiologic agents or specimens being transported to a laboratory for testing are excluded from the definition of infectious waste.

(13) IF A PATIENT PREFERS A BODY PART BE BURIED RATHER THAN SENT OUT AS INFECTIOUS WASTE, IS THIS ALLOWED? Section E (2)(f) Yes. Human corpses, remains, products of conception, and anatomical parts that are intended to be interred, cremated, or donated for medical research are excluded from the definition of infectious waste. Teeth may be returned to a patient.

(14) IS THE DISPOSAL OF HUMAN FETUSES GOVERNED BY THE INFECTIOUS WASTE REGULATIONS? Human fetuses that have completed twenty (20) weeks of gestation or more, or have a weight of 350 grams or more, shall be handled according to Vital Statistics Regulation 61-19, and a burial-transit permit must be obtained for the disposition of the remains.

Products of conception that do not meet the requirements above must be handled according to the Infectious Waste Management Regulations 61-105, Section T(10).

(15) ARE FEMININE HYGIENE PRODUCTS CONSIDERED INFECTIOUS WASTE? Section E (2)(d) No, they are considered solid waste and are exempt from regulatory control. However, post partum absorbent materials may be considered infectious waste when the absorbent materials are heavily soiled with blood and body fluids.

(16) ARE BLOOD SAMPLES AND CULTURES SENT TO A LAB FOR ANALYSIS CONSIDERED INFECTIOUS WASTE IN MY REGISTRATION? Section E (2)(e) No. These samples are not considered infectious waste. Once the lab has tested the material, they will be included in the reference laboratory's infectious waste stream.

(17) ARE TEETH CONSIDERED INFECTIOUS WASTE? Section E (2)(f) Yes. Teeth are considered to be pathological waste, and have to be placed into a sharps container. However, teeth that are returned to a patient are exempt from regulatory control.

(18) ARE DRESSINGS, BAND-AIDS, AND USED GLOVES CONSIDERED INFECTIOUS WASTE? Section E (3) No. These items are only considered infectious waste if they are supersaturated with blood. Any material that contains blood that has been absorbed into that material so that it will not adhere to other surfaces upon contact can be disposed of as solid waste.

(19) SHOULD I.V. TUBING BE CONSIDERED INFECTIOUS WASTE? Section E (3) Any tubing that contains visible liquid blood is considered infectious waste. If there is no evidence of visible liquid blood inside the tubing, then it is considered solid waste.

(20) WHAT IS SUPERSATURATED MATERIAL? Section D (II) "Supersaturated material" means any material that contains enough fluid so that it freely drips that fluid or if lightly squeezed, fluid would drip from it. If a portion of a material is supersaturated with fluid, then the entire material must be considered supersaturated.

(21) ARE URINE AND FECES INCLUDED UNDER THE REGULATIONS? Not usually. Urine and feces should be disposed of through the sanitary sewage or a septic tank. The urine cups and stool sample kits can be double bagged with plain black trash bags and can be disposed of as solid waste. Urine and feces are not suitable for the landfill.

(22) WHO OR WHAT IS AN INFECTIOUS WASTE GENERATOR? An infectious waste generator is a person or facility producing infectious waste in a health care setting, except for waste produced in a private residence.

(23) SHOULD ALL HEALTH CARE OFFICES REGISTER WITH SC DHEC? Section F (1) Yes. The South Carolina Infectious Waste Management Regulations, R.61-105 require that each health care site producing infectious waste must register with the Department. Registration forms with instructions are available through the website:

www.scdhec.net/lwm/html/infect.html or call the Infectious Waste Section @ (803) 896-4191.

(24) SHOULD EACH DOCTOR IN A MULTI-PRACTICE OFFICE REGISTER SEPARATELY AS A GENERATOR? Section F (1)(c) Multi-practice offices that store their infectious waste together should register as a single generator. To qualify as a small quantity generator, the practice must meet the less than fifty (50) pound limit cumulatively.

If each doctor in a practice chooses to register separately, their waste must be separated at the point of origin, stored separately, and be traceable to each doctor.

Small quantity generators sharing a common disposal system, such as a dumpster, are subject to joint and several liability. (Any generator contributing to the presence of infectious waste at a site, even a small fraction of the total material, is potentially liable for the total cost of cleaning up the entire site.)

Also, the office must keep records and documentation of the disposal of their infectious waste as required under section AA, Item 1 of the Infectious Waste Regulations, 61-105. An example of documentation is: a spiral notebook with the date of disposal, number of boxes or containers and the total weight of the waste.

(25) AT AN ACCIDENT SCENE, AN AMBULANCE CREW ADMINISTERS EMERGENCY HEALTH CARE AND MUST TRANSPORT A SMALL AMOUNT OF INFECTIOUS WASTE BACK TO THE HOSPITAL. WOULD THE AMBULANCE NEED TO REGISTER AS AN INFECTIOUS WASTE GENERATOR? Section F (1)(c) No. Since the waste is brought to the hospital or emergency center, the ambulance would not need to register. If the waste was brought back to the station for disposal, then the station would need to register as a generator.

(26) IF ANY CHANGES OCCUR WITH THE FACILITY, DO I NOTIFY SCDHEC? Section F (2) Yes. When any changes occur in the previously submitted information, such as name of the business, physical or mailing address, telephone number, the contact name of the infectious waste coordinator, the categories and amount of infectious waste generated, the generator must notified the Department in writing within thirty (30) days.

(27) WHAT ABOUT THE LEVELS OF RADIOACTIVE MATERIALS IN THE INFECTIOUS WASTE STREAM? Section F (6)(d) Generators must prevent infectious waste containing radioactive material which is distinguishable from background from leaving the site of generation when the material is under the

jurisdiction of the United States Nuclear Regulatory Commission or an Agreement State.

(28) CAN REGULAR GENERATORS TRANSPORT INFECTIOUS WASTE? Section F (6)(h) No. Only small quantity generators may transport their own waste, as long as, the waste is transported from the facility or practice to the final destination for disposal. Hospital couriers cannot pick up and transport infectious waste back to the hospital unless the hospital is registered as an infectious waste transporter and adheres to the Infectious Waste Management Regulations, R.61-105.

(29) ARE GENERATORS REQUIRED TO WEIGH THEIR OWN INFECTIOUS WASTE?

Section F (6)(i) Yes. All generators of infectious waste are required to weigh their own infectious waste prior to disposal.

Small quantity generators disposing of their infectious waste as solid waste must keep records and documentation of the disposal of their infectious waste as required under section AA, Item 1 of the Infectious Waste Regulations, R.61-105. An example of documentation is: a spiral notebook with the date of disposal, number of boxes or containers and the total weight of the waste.

(30) IF WE MOVE TO A NEW LOCATION OR CLOSE OUR DOORS, CAN WE LEAVE OUR INFECTIOUS WASTE BEHIND FOR SOMEONE ELSE TO CLEAN UP?

Section F (7) No. When a site of a waste generator relocates, closes or ceases to generate infectious waste, all infectious waste must be disposed of in accordance with the South Carolina Infectious Waste Management Regulations, R.61-105.

(31) WHAT IS THE DEFINITION OF A SMALL QUANTITY GENERATOR? Section G (1) In-state generators that produce less than fifty (50) pounds per calendar month of infectious waste are considered small quantity generators. Example: If a small quantity generator can demonstrate twelve consecutive months of documentation that they produce less than fifty (50) pounds per calendar month of infectious waste, they are considered to be a small quantity generator. If a generator of infectious waste exceeds fifty (50) pounds per calendar month at any time during the twelve consecutive months period, they are considered a regular infectious waste generator and must register as a regular generator and pay the Infectious Waste Annual Fees as required in Regulation 61-30, Environmental Protection Fees, Section G (12).

(32) CAN SMALL QUANTITY GENERATORS THROW AWAY CULTURES AS OTHER NON-INFECTIOUS SOLID WASTE? Section G (1)(b)(ii) No, all generators are

required by the regulations to treat cultures. We recommend steam sterilization (autoclaving).

(33) CAN SMALL QUANTITY GENERATORS DISPOSE OF THEIR INFECTIOUS WASTE WITH A MANAGEMENT COMPANY ON A QUARTLY PICK UP? Yes, as long as the small quantity generator doesn't exceed the fifty (50) pounds per calendar month anytime during the quarterly pick up. The storage requirements of infectious waste should not to exceed fourteen (14) days without refrigeration or thirty (30) days if maintained at or below 42 degrees Fahrenheit.

(34) CAN GENERATORS DISPOSE OF INFECTIOUS WASTE AT THE LOCAL LANDFILL? Section G (1)(b)(iii) Yes. Generators may dispose of their treated infectious waste at the local landfill provided that the landfill will accept the waste. For further information, contact your local county landfill in your area.

(35) CAN SMALL QUANTITY GENERATORS TRANSPORT WASTE TO A LOCAL HOSPITAL FOR DISPOSAL? Section G (2) Yes. Only small quantity generators can transport their own waste, as long as, they do not transport more than fifty (50) pounds at any one time, and the waste is packaged and labeled as required in the regulations. The waste must not be transported in the passenger compartment of the vehicle. Infectious waste can only be transported one way. A hospital courier or any kind of courier system cannot transport infectious waste, unless, they are registered as an infectious waste transporter with the Department.

(36) CAN HOSPITAL COURIERS PICK UP AND TRANSPORT INFECTIOUS WASTE BACK TO THE HOSPITAL? No. Hospital couriers or any kind of courier system cannot pick up and transport infectious waste back to the hospital. They must register as an infectious waste transporter and adhere to the infectious waste transporter requirements in Section N of the South Carolina Infectious Waste Management Regulations, R.61-105.

(37) IF I AM A SMALL QUANTITY GENERATOR AND CHOOSE TO HAVE A TREATMENT COMPANY DISPOSE OF MY INFECTIOUS WASTE, ARE THERE OTHER REQUIREMENTS THAT MUST BE MET? Sections H through K and Section M Yes. Infectious waste must be packaged in leak proof, semi-rigid containers that are impervious to moisture, such as, a red biohazard bag within a cardboard box. Sharps must be stored in leak-resistant, puncture-resistant containers. Reusable containers are acceptable but must be disinfected immediately after use. Many waste treatment companies provide these containers to their clients, replacing them with disinfected containers during their scheduled pick-ups.

Also, generators must weigh their own waste and document it on the manifest along with the number of containers.

(38) IF I AM A SMALL QUANTITY GENERATOR, DO I HAVE TO TREAT THE SHARPS? Yes. All small quantity generators must treat their sharps containers prior to sanitary landfill disposition as indicated under the new amendment to the Infectious Waste Management Act, which became effective July 20, 2002.

(39) WHAT IS THE THICKNESS REQUIREMENT FOR A "RED BAG"? Section I (6) The Infectious Waste Management Regulations R.61-105 states that plastic bags should have sufficient strength to prevent tearing. Waste producers should follow USDOT requirements for bag thickness and container strength.

(40) SHOULD TREATED WASTE BE PACKAGED AND LABELED AS INFECTIOUS WASTE? Section I (12) Exempt or excluded waste shall not be packaged as infectious waste. If the waste was once infectious, it shall bear a label clearly indicating that it is treated. Any waste packaged as infectious must be managed as infectious waste.

(41) HOW SHOULD THE CONTAINERS BE LABELED, IF THEY ARE SHIPPED OFF SITE FOR TREATMENT? Section J (2) Containers of infectious waste being shipped off site for treatment must be labeled with the universal biohazard symbol as specified in 29 CFR 1910.1030 (g)(1)(i)(B) and (C). The words INFECTIOUS WASTE, MEDICAL WASTE, or BIOHAZARDOUS WASTE should be included. All in-state generators must include their name or the Department issued generator number. Out-of-state generators must include their name, address, and telephone number. All labeling should be printed with water-resistant, indelible ink. Leaking and crushed containers will be considered improperly packaged.

(42) SHOULD BAGS USED TO LINE A CONTAINER BE LABELED? Section J (3) Yes. Bags used to line the inside of an outer container shall be labeled with the universal biohazard symbol and a labeling process that is water-resistant and indelible ink or imprinted.
(43) CAN A GENERATOR USE ANY OTHER COLOR PLASTIC BAG (ie. BROWN OR BLACK) INSIDE A TRASH CAN THAT IS LABELED WITH THE UNIVERSAL BIOHAZARD SYMBOL? OSHA states that infectious waste in the facility must be placed in a red bag or the bag must be labeled with a BIOHAZARD label. At the time of disposal, small quantity generators may remove the label or the employer can double bag (without a label), or the waste can be decontaminated."

(44) WHAT ABOUT OUTSIDE STORAGE? Section K (2),(3) & (4) Outdoor storage areas must be locked, allow access to authorized personnel only and must be labeled with the universal biohazard symbol, as specified in 29 CFR

1910.1030(g)(1)(i)(B) and (C), and the words INFECTIOUS WASTE, MEDICAL WASTE or BIOHAZARDOUS WASTE.

(45) HOW LONG CAN GENERATORS STORE INFECTIOUS WASTE?

Section K (5) (a) Infectious waste must be maintained in a nonputrescent state using refrigeration when necessary. Generators can store infectious waste up to fourteen (14) days without refrigeration or thirty (30) days if maintained at or below 42 degrees Fahrenheit.

(46) CAN I USE ANY TYPE OF MANIFEST FORM? Section M (1) No. A generator who transports, or offers for transport, infectious waste for offsite treatment, storage, or disposal, must prepare a manifest on a form approved by the Department and completed in a legible manner according to the instructions for that form. The manifest form must accompany the waste at all times after leaving the generator's facility. Registered transporters will provide a manifest form when picking up the waste.

(47) IF I DON'T GET MY CERTIFICATE OF DESTRUCTION BACK, WHAT SHOULD I DO? Section M (5) The generator shall notify the Department in writing if he does not receive a completed manifest appropriately signed from the destination facility within fifty (50) days after offering for transport. Call the Infectious Waste Section for assistance at (803) 896-4193.

(48) CAN I USE ANY TRANSPORTER OR MANAGEMENT COMPANY TO DISPOSE OF MY INFECTIOUS WASTE? Section N (1) Yes, as long as, the infectious waste transporters or management companies are registered with the Infectious Waste Section, South Carolina Department Health and Environmental Control.

(49) ARE GENERATORS RESPONSIBLE FOR THEIR WASTE ONCE A REGISTERED TRANSPORTER HAS PICKED UP THEIR WASTE? Yes. Generators are responsible for their waste from cradle to grave.

(50) CAN UNTREATED INFECTIOUS WASTE FROM REGULAR GENERATORS BE DISPOSED OF AT THE LOCAL LANDFILL? Section T (1) No. Only treated infectious waste can be disposed of at the local landfill. Once infectious waste is appropriately treated, it should be considered solid waste, which is then suitable for landfill disposal.

(51) WHAT ARE SOME OF THE CURRENT TREATMENT TECHNIQUES FOR INFECTIOUS WASTE AND SHARPS ONSITE?

**autoclaving*

**Chemical disinfection*

**Sharps mailback program*

(52) CAN THE LOCAL LANDFILL REJECT PROPERLY PACKAGED SHARPS OR INFECTIOUS WASTE THAT HAVE BEEN TREATED? Landfill operators have the right to reject any waste for disposal in the landfill, even if Federal and State regulations allow landfill disposal of such waste.

(53) HOW CAN I DISPOSE OF BLOOD AND BODY FLUIDS? Section T (5)(a) Blood and body fluids may be discharged directly into a Department-approved wastewater treatment disposal system. Liquid blood and blood tinged with excrescences may be poured into a sink or hopper for disposal.

(54) HOW LONG DO I MAINTAIN RECORDS? Section AA (1) All generators, transporters, transfer facilities, intermediate handling facilities and treatment facilities in South Carolina shall maintain all records and manifest copies required by the infectious waste regulation for a minimum of three (3) years.

Also, if you are a small quantity generator and you are disposing your infectious waste as solid waste, you must keep records and documentation of the disposal of the infectious waste as required under section AA, Item 1 of the Infectious Waste Regulations, R.61-105. An example of documentation is: a spiral notebook with the date of disposal, number of boxes or containers and the total weight of the waste.

(55) WHAT CAN I DO IF THE REGULATION CAUSES UNUSUAL FINANCIAL HARDSHIP FOR MY FACILITY OR SAFETY CONCERNS FOR MY EMPLOYEES?

Section CC (1) You may request a variance from that portion of the regulations. A variance is a written petition from any person who is subject to this regulation. The Department may grant a variance from one or more specific provisions of the infectious waste regulations.

(56) IF I HAVE ANY QUESTIONS ABOUT THE BLOODBORNE PATHOGENS REGULATIONS, WHOM DO I CONTACT? Call the South Carolina Department

of Labor at (803) 896-4300 or write to: South Carolina Department of Labor, P.O. Box 11329, Columbia, SC 29211-1329 Attn: Bloodborne Pathogens Section.

(57) IF I HAVE ANY OTHER QUESTIONS ABOUT THE SOUTH CAROLINA INFECTIOUS WASTE MANAGEMENT REGULATIONS R.61-105, WHOM DO I CONTACT? You can call the South Carolina Department of Health and Environmental Control at (803) 896-4000 and ask for anyone in the Infectious Waste Section.

(58) HOW DO I GET INFECTIOUS WASTE FORMS OR THE REGULATIONS? If you need a copy of the Infectious Waste Regulations R.61-105, call us or you can download it from our website at: www.scdhec.net/lwm/html/infect.html

(59) WHAT ARE INFECTIOUS WASTE FEES AND WHO MUST PAY THEM? Regulation 61-30, The Environmental Protection Fees, Section G(12) lists Infectious Waste Fees as:

**Facilities generating 1,000 pounds of infectious waste per month or more - \$600.00 annually.*

**Facilities generating 50 - 999 pounds of infectious waste per month - \$150.00 annually.*

**Infectious waste transporters - \$500.00 annually.*