

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

CHAPTER 61

Statutory Authority: 1976 S.C. Code Section 44-93-10 *et seq.*
44-93-100 (Act 351, July 20, 2002)

R.61-105 Infectious Waste Management Regulations

Notice of Drafting:

The Department of Health and Environmental Control is proposing to amend R.61-105, Infectious Waste Management Regulations. This current Notice, published in the State Register on June 24, 2009, replaces and supercedes a previous Notice of Drafting that was published in the *State Register* on July 25, 2008. Relevant comments received during the 2008 notice of drafting comment period will be considered and need not be resubmitted. Interested persons may submit their views on these current proposals by writing to Richard Haynes, Director of the Division of Waste Management, Bureau of Land and Waste Management, Department of Health and Environmental Control, 2600 Bull Street, Columbia, SC 29201. To be considered, written comments must be received no later than 5:00 p.m. on July 27, 2009, the close of the drafting comment period.

Synopsis:

The South Carolina Infectious Waste Management Regulations were last amended June 24, 2005. The Department of Health and Environmental Control proposes to amend R. 61-105, the Infectious Waste Management Regulations, to add or clarify definitions of terminology used in the Regulation. Changes will be made to include the embalming process as a potential source of regulated infectious waste, set a treatment standard for this waste, and create an exemption from permitting as a treatment facility for facilities whose only treatment of infectious waste is that of embalming waste to meet this standard.

The amendments will cover facilities that currently utilize storage tanks to store their liquid embalming waste as well as any new facilities that plan to do embalming and choose to store their liquid embalming waste in a storage tank.

Allowances for alternate recordkeeping, labeling, and communication will be created for generators and transporters in regards to weight, biohazard placarding, waste protocol, and manifesting. Duplicated or outdated requirements will be deleted, including a continual refrigeration requirement and transporters' radiological monitoring. Requirements in conflict with federal Department of Transportation regulations will be deleted or revised. Persons who meet the United States Postal Service Domestic Mail Manual packaging requirements will be exempted from obtaining a permit provided that only packages that meet this requirement are transported. Generator registration and fee requirements will be clarified, and facilities that close will be required to notify the Program. New requirements will be created for situations that could create a public health risk that have not been addressed in the past, including vehicles left unattended carrying infectious waste and tanks storing infectious waste treatment residue. Additionally, clarifications will be made to the regulations in addressing the handling and treatment of regulated infectious waste by small quantity generators and transporters. Language clarifying the appeals process will be added.

Additionally, stylistic changes which may include corrections for internal consistency, clarification, references, and spelling will be made to improve the overall text of the regulation.

Legislative review of this amendment will be required.