

## **ADEQ WASTE PROGRAMS DIVISION BIOHAZARDOUS MEDICAL WASTE (BMW) 3<sup>RD</sup> RULEMAKING STAKEHOLDER WEBINAR SUMMARY**

**DATE:** Feb. 24, 2021

**TIME:** 2:00 - 3:30 p.m.

### **WELCOME**

Sowjanya (Sowj) Chintalapati, Deputy Director of ADEQ WPD, thanked the group for attending the meeting. The purpose of the meeting was to discuss draft rule language with stakeholders.

### **PARTICIPANTS**

Approximate 30 stakeholders attended the meeting. The majority of stakeholders serve both urban and rural locations, and were Transporters, Generators, Government employees, or worked in Treatment. Industries present included utilities, Tribal Nation, Cleanup, Remediation, Transportation, and Medical, among others.

### **STAKEHOLDER INPUT ON DRAFT LANGUAGE**

The [BMW Draft Rule](#) includes proposed draft rule language and can be found on the [Biohazardous Medical Waste Rulemaking Page](#). Facilitator Theresa Gunn requested that stakeholders vote on which rules to discuss and received input on each of the sections in order of interest. Feedback is included for the following topics, summarized in numerical order:

- **1401**
  - Pathological wastes definition contains too much content and should be broken up
  - Blood definition described as too broad by some, too narrow by others
    - Suggestion to use OSHA OPIM for blood
    - Suggestion to move Tattoo and Piercing elsewhere
  - Suggestion to remove bulk chemo waste from definitions altogether or clarifying that not all bulk chemo waste is hazardous waste
  - Dedicated vehicle definition -transporting compatible waste streams is an improvement
  - Questions about putrescible waste and storage timeframes
    - ADEQ indicated time frames are discussed in other sections of these rules
  - Request to add “decomposed material” into BMW definition
- **1407**
  - Question about how to package sharps since they’re not bagged (correctly so)
    - ADEQ followed up by referring to R18-13-1919, which describes appropriate packaging for sharps
- **1408**
  - Chemo waste should be its own subsection
  - 72 hour holding time is an improvement over 24, but would prefer to see that putrescible waste could be held unrefrigerated for longer than 72 hours because dropping off loads is expensive, with minimum gate fees per load; mentioned 30 days in Florida
  - Holding putrescible waste greater than 72 hours would likely require a variance system due to refuse collection frequency being twice weekly to disrupt fly breeding cycles

- **1409**
  - Question on if the fee was a flat 5 year fee for \$2,000
    - ADEQ explained the fee structure is unchanged, but the verbiage has been reorganized and charts included for clarity. Subsections A-E used to contain the fee language, which is now condensed into sections A-C, with tables in B and C to clarify
    - Transporter believes \$2,000 every 5<sup>th</sup> year is too much, was concerned that enforcement was not as frequent as it needs to be
  - Transfer from truck to truck should be allowed as long as it meets other requirements
    - ADEQ explained that this cannot be done in a way that is protective of human health and the environment and that does not overstep authority by getting involved in zoning decisions
- **1412**
  - Question about (B)(8) and why that language was included
    - ADEQ explained that this language used to be elsewhere in the rule (R18-13-1419(2)(b)) and was moved for clarity
- **1418**
  - Unclear what “destruction on site” means; does it mean “dispose” of the waste? A guidance doc would be helpful
  - “Destruction on site” is not feasible for generators, regarding incinerating drug wastes
- **1419**
  - Clarifications on items that are not included as sharps, such as syringes without needles, is helpful
  - Removing “grinding” as an option is good

#### **NEXT STEPS AND CLOSING REMARKS**

Sowj expressed her appreciation for attendees taking the time to participate in this process and provide comments. A Notice of Proposed Rulemaking is expected by April.

#### **ADJOURN**

Theresa reminded the group about opportunities for additional contact including:

- For more information contact [Caitlin Caputo](#), Rules Specialist
- [Waste Programs Division Website](#)
- [BMW Rulemaking](#)
- [Existing BMW Rules](#)