

## **ADEQ WASTE PROGRAMS DIVISION BIOHAZARDOUS MEDICAL WASTE (BMW) 2<sup>ND</sup> RULEMAKING STAKEHOLDER WEBINAR SUMMARY**

**DATE:** Jan. 15, 2021

**TIME:** 12:30 - 2:00 p.m.

### **WELCOME**

Terry Baer, Section Manager for Solid/Hazardous Waste, ADEQ WPD, thanked the group for attending the meeting. The purpose of the meeting was to discuss potential clarifications and updates to the rules with stakeholders.

### **PARTICIPANTS**

Approximate 65 stakeholders attended the meeting. The majority of stakeholders serve both urban and rural locations, and were Transporters, Generators, or worked in Treatment. Industries present included utilities, Tribal Nation, Cleanup, Remediation, Transportation, Medical, and Research, among others.

### **OVERVIEW OF FEEDBACK AND PROPOSED FIXES**

Caitlin Caputo, ADEQ Rules Specialist, provided a summary of stakeholder feedback from the Nov. 5<sup>th</sup> stakeholder meeting and walked through proposed clarifications and changes for discussion. The “Nov. 5<sup>th</sup> Workshop Summary” provides a summary of stakeholder feedback and the “Jan. 15 Workshop Discussion Materials” includes proposed clarifications and changes discussed with stakeholders. Both are available on the [Biohazardous Medical Waste Rulemaking Page](#).

### **STAKEHOLDER DISCUSSION**

Facilitator Theresa Gunn requested stakeholder input on each of the presented rule proposed changes and clarifications. Feedback is included for the following topics:

- **Definitions**
  - Mention of reviewing OSHA and DOT regulations for definitions and potential inclusion in Arizona BMW rules
  - Concerns with an overbroad dried blood inclusion, such as Florida’s
  - Support for using definitions like Virginia’s and Maine’s for BMW, which are similar to DOT and/or OSHA
  - Support for the inclusion of crime scene cleanup, tattoo, and body modification within appropriate definitions
  - Concerns about the current rule’s inclusion of animal carcasses, as some transporters may not accept them for transport
  - Question about out of state facilities and “department-approved facilities”; clarification is forthcoming in the draft rule
- **1403**
  - Support for USPS mail back form documentation retention requirement
  - Support for removing the allowance to sewer non-hazardous waste pharmaceuticals, also a caution against going further than EPA’s HW pharmaceuticals sewerage ban

- **1408**
  - Concern about differentiating trace vs. bulk chemotherapy waste; all agree that bulk is HW and needs to be segregated, but don't see the need to store trace separately from other BMW
  - Support for removal for 24-hour rule, but questions about requirement to refrigerate putrescible vs. non-putrescible waste and time requirements
- **1409**
  - Support in general for allowance of truck to truck transfer, but concerns about location requirements (zoning issues, "place of business" vs. "permitted location", etc.)
- **1418**
  - Continued support for removal of allowance to sewer non-hazardous waste pharmaceuticals
- **1419**
  - Question about using DOT/USPS packaging requirements
  - Both support and opposition to encapsulation, shredding
  - Concern that the focus is deviating from "infectious" properties
  - Concern about whether this applies to households (see exceptions section, 1403(A)(4))
- **1420**
  - Request to clarify trace vs. bulk chemotherapy waste
  - Mention of OSHA trace chemo requirements

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

Terry Baer expressed his appreciation for attendees taking the time to participate in this process and provide comments. A draft of the rule is expected within 60-90 days for stakeholders to review.

#### **ADJOURN**

Theresa reminded the group about opportunities for additional contact including:

- Subscribe for email notification: <https://public.govdelivery.com/accounts/AZDEQ/subscriber/new>
- For more information contact: Caitlin Caputo, Rules Specialist, [Caputo.caitlin@azdeq.gov](mailto:Caputo.caitlin@azdeq.gov)
- Waste Programs Division Website: <http://www.azdeq.gov/BioMedWaste>
- BMW Rulemaking: <http://www.azdeq.gov/node/7505>
- Existing BMW Rules: [https://apps.azsos.gov/public\\_services/Title\\_18/18-13.pdf#page=24](https://apps.azsos.gov/public_services/Title_18/18-13.pdf#page=24)