

INFECTIOUS WASTE DISPOSAL REGULATIONS

Section 1. RATIONALE

A potential public hazard exists from exposure to improperly disposed infectious waste. Stringent federal and state regulations require that specific methods of infectious waste storage, packaging, and disposal be practiced by both the generator and the disposal contractor. Presently this geographical area is experiencing diminished landfill capacity, thus promoting incineration as the preferred disposal method. Although incineration is most commonly used by hospitals, the largest quantity generators of infectious waste, problems of incinerator acceptability by the general public greatly restrict this disposal method. As a result, disposal costs continue to escalate, particularly for small quantity generators of potentially infectious waste. The forementioned factors combined contribute to the increased potential for the improper disposal of infectious waste.

Section 2. LEGAL SIGNIFICANCE

Pursuant to Chapter 111 s. 31 of the Massachusetts General Laws, the Town of Hanover adopts the following regulations which are designed to impose strict penalties upon persons and/or entities responsible for any infectious waste which is improperly disposed within the boundaries of the Town of Hanover. These regulations shall apply to all generators and all disposal contractors affiliated with the disposal of any type of potentially infectious waste.

Section 3. DEFINITIONS

a. Infectious Waste

Waste due to its infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness and which may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed. Infectious waste includes cultures and stocks of etiologic (disease-causing) agents, blood and blood products, pathological wastes, dialysis unit waste, animal and body parts and biologicals and sharp. Sharps are discarded medical articles that may cause puncture or cuts, including but not limited to hypodermic needles, syringes, pasteur pipettes, broken glass, scalpel blades, disposable razors and suture needles.

b. INFECTIOUS WASTE GENERATOR

Any person or entity which produces infectious waste. Generators may include physician's offices, Home Health Care Facilities, Hospitals, Health Maintenance organizations, Teaching Facilities, Clinics (all types including chiropractors, Acupuncture, sports medicine) Veterinary Facilities, Nursing Homes, Funeral Homes, Dental Clinics and Offices, and a Single or Group of Individuals. Private residents are not included under this definition.

c. INFECTIOUS WASTE DISPOSAL CONTRACTOR

Any person or company responsible for proper and legal disposal of solid including but not limited to infectious waste. Cleaning contractor responsible for cleaning and removal of waste from the property of an infectious waste generator may be considered an infectious waste disposal contractor for the purposes of this ordinance.

d. PROPER DISPOSAL OF INFECTIOUS WASTE

1. All infectious waste designated for off-site disposal excluding sharp wastes, shall be placed in non-permeable three (3) mil. Polyethylene (or equivalent) bag which are to be securely sealed and placed into a second bag of similar construction which shall also be securely sealed. This sealed double bag shall be placed into a rigid or semi-rigid container and sealed. Any container of waste which has not been rendered non-infectious shall be distinctively marked with the international biohazard symbol and be colored red. Incineration of any infectious waste so contained in DEP-approved incinerator or the landfilling of infectious waste which has been rendered non-infectious by steam or gas sterilization or chemical disinfection, and as per DEP (or out of state equivalent authority) regulations shall constitute proper disposal.
2. Sharps must be placed in rigid, puncture-resistant containers immediately after use. The containers of sharps shall either undergo incineration (in a DEP-approved incinerator) or be rendered non-infectious by steam or gas sterilization or chemical disinfection and then rendered safe for disposal by grinding or other similarly effective method to eliminate the physical hazard of the sharps and then be disposed of in a sanitary landfill approved by DEP (or out of state equivalent).
3. Free draining blood and/or blood products except blood saturated materials may be disposed of directly into the septic system, or by the method described in Section 3(d) 1.

e. IMPROPER DISPOSAL OF INFECTIOUS WASTE

Any action or lack thereof which causes infectious waste to be disposed in a manner contrary to the definition of proper disposal as specified in Section 3(d) 1-4.

f. RESPONSIBLE PARTY

Any person or entity who by definition is a generator of infectious waste, and/or who, by contract, agreement or otherwise, directly or indirectly arranged for or participated in the improper disposal of infectious waste.

SECTION 4: IMPLEMENTATION

The generator and/or disposal contractor shall make every effort to insure that all infectious waste is packaged and disposed of in the manner specified in these regulations and 105 CMR 480.000 State Sanitary Code, Chapter VIII and any other appropriate regulation of the Department of Public Health and/or of the Department of Environmental Protection.

Persons or entities responsible for the transportation of infectious waste shall adhere to the appropriate U.S. Department of Transportation and Massachusetts Department of Public Works regulations regarding transportation of infectious waste on state and interstate highways.

The failure of a responsible party to properly dispose of infectious waste shall constitute a violation of this ordinance and as such, be subject to penalties and/or fines.

Section 5: PENALTIES AND FINES

The responsible party or parties shall be held liable for the costs of emergency clean-up and proper disposal of infectious waste found to be improperly disposed in the Town of Hanover.

The responsible party or parties shall be assessed a fine not to exceed \$200.00 for each separate offense of the improper disposal of infectious waste. Each individual article of infectious waste shall be deemed a separate offense and fined as such.

Section 6: NOFIFICATION

All generators of infectious waste, as defined in the ordinance, must submit in writing to the Hanover Board of Health, after the effective date of these regulations, or upon any change of existing status or contract, the following information:

- a. The type (s) of infectious waste generated.
- b. The method of infectious waste removal/disposal used by the generator
- c. The company of record contracted to remove and dispose of the infectious waste.

Section 7: REGISTRATION

All infectious waste disposal contractors as defined by this ordinance, involved in the removal and disposal of infectious waste from any property within the Town of Hanover must obtain a permit from the Board of Health for the transport of garbage, offal or other offensive substances as provided for under MGL Chapter 111 Section 31A.

Section 8 Severability

If any section, paragraph, sentence, clause, phrase or word of this ordinance shall be declared invalid for any reason whatsoever, that decision shall not affect any other portion of these regulations.

Section 9 EFFECTIVE DATE

This regulation shall take effect thirty (30) days after final approval of this ordinance.

