
HOUSE BILL 2079

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Sprenkle, R. Meyers, Brough, Leonard, Braddock, Morris, Holland, Phillips, Belcher, Brekke, Grant and Mitchell.

Read first time February 21, 1991. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to defining and handling treated infectious waste;
2 adding new sections to chapter 70.95 RCW; creating new sections; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** LEGISLATIVE FINDINGS. The legislature finds
6 and declares that:

7 (1) Infectious waste is generated and disposed in the state in a
8 manner that may pose a threat to human health above and beyond
9 infection hazards associated with the general municipal solid waste
10 stream.

11 (2) While infectious disease transmission has not been identified
12 from improperly disposed infectious waste in the environment, the
13 potential for such transmission is present, based on identified
14 exposures.

1 (3) It is a matter of state-wide concern that infectious waste be
2 defined and handled in a manner that protects the health, safety, and
3 welfare of the public, the environment, and the workers who handle the
4 waste.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95 RCW
6 to read as follows:

7 DEFINITIONS. Unless the context clearly requires otherwise, the
8 definitions in this section apply throughout section 3 of this act.

9 (1) "Dispose" means to engage in the final placement of treated or
10 untreated infectious waste in a disposal site operating under a permit
11 issued by a jurisdictional health department, state or federal agency.

12 (2) "Generator" means a person whose act or process produces
13 infectious waste.

14 (3) "Infectious waste" means, and is limited to:

15 (a) "Animal waste," including waste animal carcasses, body parts,
16 and bedding of animals that were known to have been deliberately
17 infected or inoculated with human pathogenic microorganisms during
18 research.

19 (b) "Biosafety Level 4 disease waste," including wastes
20 contaminated with blood, excretions, exudates, or secretions from
21 humans or animals who are isolated to protect others from highly
22 communicable infectious diseases that are identified as viruses
23 assigned to Biosafety Level 4 by the Centers for Disease Control,
24 National Institute of Health, Biosafety in Microbiological and
25 Biomedical Laboratories, 2nd Edition, 1988. These viruses include
26 Congo-Crimean hemorrhagic fever, tick-borne encephalitis virus complex,
27 (Absettarov, Hanzalova, Hypr, Kumlinge, Kyasanur Forest Disease, Omsk
28 hemorrhagic fever, and Russian spring-summer encephalitis), Marburg,
29 Ebola, Junin, Lassa, and Machupo.

1 (c) "Cultures and stocks," including waste cultures and stocks of
2 microbiological agents infectious to humans, human serums and discarded
3 live and attenuated vaccines infectious to humans, human blood
4 specimens, and laboratory wastes that are contaminated with these
5 agents or specimens.

6 (d) "Liquid human body fluids," including waste liquid emanating or
7 derived from humans including but not limited to human blood and blood
8 products, serum and plasma, sputum, drainage secretions, cerebrospinal
9 fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial
10 fluid, and amniotic fluid, that exceeds fifty milliliters per
11 container, storage vessel, or plastic bag and cannot be and has not
12 been directly discarded into a sanitary sewage system.

13 (e) "Pathological waste," including waste human source biopsy
14 materials, tissues, and anatomical parts that emanate from surgery,
15 obstetrical procedures, autopsy, and laboratory procedures.
16 "Pathological waste" does not include teeth or formaldehyde or other
17 preservative agents, human corpses, remains, and anatomical parts that
18 are intended for interment or cremation.

19 (f) "Sharp waste," including waste hypodermic needles, syringes, IV
20 tubing with needles attached, scalpel blades, and lancets that have
21 been used in animal or human patient care or treatment in medical
22 research.

23 (4) "Jurisdictional health department" means the city, county,
24 city-county, or district public health department.

25 (5) "Local government" means city, town, or county.

26 (6) "Person" means an individual, firm, corporation, association,
27 partnership, consortium, joint venture, commercial entity, state
28 government agency, or local government.

29 (7) "Treated infectious waste" means infectious waste that has
30 undergone treatment.

1 (8) "Treatment" means incineration, steam sterilization, new
2 technologies, including but not limited to needle disposal systems, or
3 another method that changes the character or composition of an
4 infectious waste so as to render the waste noninfectious.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.95 RCW
6 to read as follows:

7 EFFECT OF STATE-WIDE DEFINITION OF INFECTIOUS WASTE. The
8 definition of infectious waste set forth in section 2 of this act is
9 the sole state definition for infectious waste within the state, and
10 shall preempt definitions established by a jurisdictional health
11 department or local government. The disposal of treated infectious
12 waste is permitted at a public or private disposal site at which solid
13 waste not constituting untreated infectious waste and not constituting
14 dangerous waste as defined in RCW 70.105.010, may be disposed. No
15 jurisdictional health department, local government, or private person
16 may prevent the storage, transportation, or disposal of treated
17 infectious waste or impose fees or rates on the storage,
18 transportation, or disposal that differ from fees and rates applicable
19 to solid waste not constituting untreated infectious waste or dangerous
20 waste. A jurisdictional health department or local government may
21 require generators to develop plans for management of infectious waste
22 to assure appropriate handling of infectious waste.

23 NEW SECTION. **Sec. 4.** CAPTIONS. Section headings as used in this
24 act, do not constitute any part of the law.

25 NEW SECTION. **Sec. 5.** SEVERABILITY. If any provision of this act
26 or its application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 6.** EFFECTIVE DATE. This act is necessary for
4 the immediate preservation of the public peace, health, or safety, or
5 support of the state government and its existing public institutions,
6 and shall take effect immediately.