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**SUBSTITUTE HOUSE BILL 2391**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives Horn, Rust, Pruitt, Bray, J. Kohl, Brekke, Edmondson, D. Sommers, Valle and May)

Read first time 01/27/92.

1       AN ACT Relating to biomedical waste; adding a new chapter to Title  
2       70 RCW; providing an effective date; and declaring an emergency.

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

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

6       (1) It is a matter of state-wide concern that biomedical waste be  
7       handled in a manner that protects the health, safety, and welfare of  
8       the public, the environment, and the workers who handle the waste.

9       (2) Infectious disease transmission has not been identified from  
10       improperly disposed biomedical waste, but the potential for such  
11       transmission may be present.

12       (3) A uniform, state-wide definition of biomedical waste will  
13       simplify compliance with local regulations while preserving local  
14       control of biomedical waste management.

1        NEW SECTION.    **Sec. 2.**    DEFINITIONS.    Unless the context clearly  
2 requires otherwise, the definitions in this section apply throughout  
3 this chapter.

4        (1) "Biomedical waste" means, and is limited to, the following  
5 types of waste:

6        (a) "Animal waste" is waste animal carcasses, body parts, and  
7 bedding of animals that are known to be infected with, or that have  
8 been inoculated with, human pathogenic microorganisms infectious to  
9 humans.

10       (b) "Biosafety level 4 disease waste" is waste contaminated with  
11 blood, excretions, exudates, or secretions from humans or animals who  
12 are isolated to protect others from highly communicable infectious  
13 diseases that are identified as pathogenic organisms assigned to  
14 Biosafety level 4 by the centers for disease control, national  
15 institute of health, biosafety in microbiological and biomedical  
16 laboratories, current edition.

17       (c) "Cultures and stocks" are wastes infectious to humans and  
18 includes specimen cultures, cultures and stocks of etiologic agents,  
19 wastes from production of biologicals and serums, discarded live and  
20 attenuated vaccines, and laboratory waste that has come into contact  
21 with cultures and stocks of etiologic agents or blood specimens. Such  
22 waste includes but is not limited to culture dishes, blood specimen  
23 tubes, and devices used to transfer, inoculate, and mix cultures.

24       (d) "Human blood and blood products" is discarded waste human blood  
25 and blood components, and materials containing free-flowing blood and  
26 blood products.

27       (e) "Pathological waste" is waste human source biopsy materials,  
28 tissues, and anatomical parts that emanate from surgery, obstetrical  
29 procedures, and autopsy. "Pathological waste" does not include teeth,

1 human corpses, remains, and anatomical parts that are intended for  
2 interment or cremation.

3 (f) "Sharps waste" is all hypodermic needles, syringes with needles  
4 attached, IV tubing with needles attached, scalpel blades, and lancets  
5 that have been removed from the original sterile package.

6 (2) "Local government" means city, town, or county.

7 (3) "Local health department" means the city, county, city-county,  
8 or district public health department.

9 (4) "Person" means an individual, firm, corporation, association,  
10 partnership, consortium, joint venture, commercial entity, state  
11 government agency, or local government.

12 (5) "Treatment" means incineration, sterilization, or other method,  
13 technique, or process that changes the character or composition of a  
14 biomedical waste so as to minimize the risk of transmitting an  
15 infectious disease.

16 NEW SECTION. **Sec. 3.** STATE-WIDE DEFINITION OF BIOMEDICAL WASTE.  
17 The definition of biomedical waste set forth in section 2 of this act  
18 shall be the sole state definition for biomedical waste within the  
19 state, and shall preempt biomedical waste definitions established by a  
20 local health department or local government.

21 NEW SECTION. **Sec. 4.** WASTE TREATMENT TECHNOLOGIES. (1) At the  
22 request of an applicant, the department of health, in consultation with  
23 the department of ecology and local health departments, may evaluate  
24 the environmental and public health impacts of biomedical waste  
25 treatment technologies. The department shall make available the  
26 results of any evaluation to local health departments.

1 (2) All direct costs associated with the evaluation shall be paid  
2 by the applicant to the department of health or to a state or local  
3 entity designated by the department of health.

4 (3) For the purposes of this section, "applicant" means any person  
5 representing a biomedical waste treatment technology that seeks an  
6 evaluation under subsection (1) of this section.

7 (4) The department of health may adopt rules to implement this  
8 section.

9 NEW SECTION. **Sec. 5.** CAPTIONS. Section headings as used in this  
10 act do not constitute any part of the law.

11 NEW SECTION. **Sec. 6.** SEVERABILITY. If any provision of this act  
12 or its application to any person or circumstance is held invalid, the  
13 remainder of the act or the application of the provision to other  
14 persons or circumstances is not affected.

15 NEW SECTION. **Sec. 7.** EFFECTIVE DATE. (1) Sections 2 and 3 of  
16 this act are necessary for the immediate preservation of the public  
17 peace, health, or safety, or support of the state government and its  
18 existing public institutions, and shall take effect immediately.

19 (2) Section 4 of this act shall take effect October 1, 1992.

20 NEW SECTION. **Sec. 8.** Sections 1 through 6 of this act shall  
21 constitute a new chapter in Title 70 RCW.