S-0084.5

SENATE BILL 5080

State of Washington 56th Legislature 1999 Regular Session

By Senator Swecker

Read first time 01/12/1999. Referred to Committee on Environmental Quality & Water Resources.

AN ACT Relating to requiring plans for biomedical waste operations; amending RCW 70.95K.010; adding a new section to chapter 70.95K RCW; and creating a new section.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 70.95K RCW to read as follows:

(1) Each facility in the state that deactivates biomedical waste under a solid waste permit shall develop a hazard analysis and critical control points plan. The scope of the plan shall cover the worker health and safety and health risks to the community surrounding the plant. The plan shall be a systematic approach to the identification, evaluation, and control of safety hazards and include:

(a) Conducting a hazard analysis;

(b) Determining the critical control points;

(c) Establishing critical limits;

(d) Establishing monitoring procedures;

(e) Establishing corrective actions;

(f) Establishing verification procedures; and

(g) Establishing recordkeeping and documentation procedures.

(2) The plan shall identify the corrective action that will be taken when there is a deviation from the critical limits for each identified step contained in the plan.

(3) The plan shall be submitted to the local health jurisdiction. The local health jurisdiction shall consult with the state department of health, the department of ecology, and the department of labor and industries. The review shall be completed within one hundred twenty days of submission and shall include recommendations for changes with an explanation of the reasons for the recommended change.

(4) Local health jurisdictions shall monitor the operation of the facilities to assure the plants are operated in accordance with the plan.

(5) If public health or worker safety issues develop with regard to the operation of the facility, including a significant change in the source of waste, a change in the critical control points or the emergence of a disease of concern, any of the public agencies enumerated in subsection (3) of this section or the plant operator may propose revision of the plan. The involved public agencies shall review the proposed revisions and may recommend additional corrective actions and changes to critical limits or other elements of the plan to provide improved protection to public health or worker safety.

(6) Local health jurisdictions, with assistance from the department of health, shall establish verification procedures as a condition of the permit or when an incident occurs that threatens the public or reviewed worker health.

(7) Initial plans shall be prepared within two years of the effective date of this section. The plant operator shall review and update the hazard analysis and critical control points plan every two years. Such revisions shall be conducted in accordance with the procedure established in subsection (3) of this section.

(8) A plant established after the effective date of this section shall develop a hazard analysis and critical control points plan before commencing operation. Such plan shall be submitted in accordance with the procedure established in subsection (3) of this section.

(9) This section does not affect nor replace other authorities or responsibilities of state or local agencies under other laws.

Sec. 2. RCW 70.95K.010 and 1994 c 165 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

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

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

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

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

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

(e) "Pathological waste" is waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, and autopsy. "Pathological waste" does not include teeth, human corpses, remains, and anatomical parts that are intended for interment or cremation.

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

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

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

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

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

(6) "Residential sharps waste" has the same meaning as "sharps waste" in subsection (1) of this section except that the sharps waste is generated and prepared for disposal at a residence, apartment, dwelling, or other noncommercial habitat.

(7) "Sharps waste container" means a leak-proof, rigid, puncture-resistant red container that is taped closed or tightly lidded to prevent the loss of the residential sharps waste.

(8) "Mail programs" means those programs that provide sharps users with a multiple barrier protection kit for the placement of a sharps container and subsequent mailing of the wastes to an approved disposal facility.

(9) "Pharmacy return programs" means those programs where sharps containers are returned by the user to designated return sites located at a pharmacy to be transported by a biomedical or solid waste collection company approved by the utilities and transportation commission.

(10) "Drop-off programs" means those program sites designated by the solid waste planning jurisdiction where sharps users may dispose of their sharps containers.

(11) "Source separation" has the same meaning as in RCW 70.95.030.

(12) "Unprotected sharps" means residential sharps waste that are not disposed of in a sharps waste container.

(13) "Plan," which is a hazard analysis and critical control points plan, means a systematic approach to the identification, evaluation, and control of safety and health and safety hazards when associated with biomedical waste deactivation at facilities under a solid waste permit.

(14) "Hazard analysis" means the process of collecting and evaluating information on hazards associated with biomedical waste deactivation at facilities under a solid waste permit to decide which hazards are significant and must be addressed in the plan.

(15) "Critical control point" means a step at which control can be applied and is essential to prevent or eliminate a safety or health hazard associated with biomedical waste deactivation at facilities under a solid waste permit, or to reduce it to an acceptable level.

(16) "Control point" means any step at which biological, chemical, or physical factors can be controlled.

(17) "Corrective action" means procedures followed when a deviation occurs when associated with biomedical waste deactivation at facilities under a solid waste permit.

(18) "Critical limit" means a maximum or minimum value to which a biological, chemical, or physical parameter must be controlled at a critical control point to prevent, eliminate, or reduce to an acceptable level the occurrence of a safety or health hazard associated with biomedical waste deactivation at facilities under a solid waste permit.

(19) "Monitor" means to conduct a planned sequence of observations or measurements associated with biomedical waste deactivation at facilities under a solid waste permit to assess whether a critical control point is under control and to produce an accurate record for future use in verification.

(20) "Step" means a point, procedure, operation, or stage in the system associated with biomedical waste deactivation at facilities under a solid waste permit, from the point of biomedical waste acceptance, to final deactivation and disposal.

(21) "Verification" means those activities, other than monitoring, that determine the validity of the plan and that the system is operating according to the plan, when associated with biomedical waste deactivation at facilities under a solid waste permit.

NEW SECTION. **Sec. 3.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 1999, in the omnibus appropriations act, this act is null and void.

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