

ILLINOIS POLLUTION CONTROL BOARD  
March 19, 1981

In The Matter Of: )  
Hazardous Hospital Wastes, ) R80-19  
Sections 3(jj) and 21(h) of the )  
Environmental Protection Act )

PROPOSED RULE. SECOND NOTICE.

ORDER OF THE BOARD (by J. Anderson):

On December 18, 1980, the Board ordered publication, for public hearings and comment, of the First Notice of a new Part IX to Chapter 9: Special Waste. These proposed rules were published in the Environmental Register #330, January 6, 1981 and in the Illinois Register, Vol. 5, pp. 14-17, January 2, 1981. After reviewing the record of hearings held in this proceeding on January 26, 1981 (Springfield) and January 28, 1981 (Chicago), and subsequent written comments, the Board has made some changes in language, for the reasons expressed in the accompanying Opinion of the Board. The Board therefore directs that second notice of these proposed rules be submitted to the Joint Committee on Administrative Rules.

The Board proposes to adopt a new Part IX to Chapter 9: Special Waste to read as follows:

Chapter 9: Special Waste

Part IX Hazardous (infectious) Hospital Waste

Rule 901 Definitions

For the purposes of this Part IX of Chapter 9 only:

"HAZARDOUS (infectious) HOSPITAL WASTE" means waste which has been generated by a hospital in connection with patient care that is contaminated with or may be contaminated with an infectious agent that has the potential of inducing an infection and which has not been rendered innocuous by sterilization or incineration. More specifically, "HAZARDOUS (infectious) HOSPITAL WASTE" means:

- a. medical and patient care items contaminated by, and human excreta produced by, persons who have been placed in strict or enteric isolation for the control and treatment of an

infectious disease by the hospital's Infection Control Committee pursuant to the infection control policies and procedures required of it by Section D of Part IX of the Rules of the Illinois Department of Public Health, 4 Ill. Reg. 553 et seq. (1981), as from time to time amended, and

- b. medical and patient care items that are contaminated by or have been in contact with, either the wound or skin of patients who have been placed in wound or skin isolation or strict isolation, or the mucous or other respiratory fluids of patients who have been placed in respiratory isolation or strict isolation by the hospital's Infection Control Committee pursuant to the infection control policies and procedures required of it by Section D of Part IX of the Rules of the Illinois Department of Public Health, 4 Ill. Reg. 553 et seq. (1981), as from time to time amended, and
- c. medical and patient care items contaminated during surgery when the case is infectious, and
- d. tissues (human or animal), pathological waste, and items that are contaminated by an infectious agent, and
- e. bacteriological cultures and blood or other excreta that are products from bacteriological testing, and
- f. any other waste which, because of its infectious nature, is ordered to receive special handling and disposal by the hospital's Infection Control Committee pursuant to the infection control policies and procedures required of it by Section D "Infectious Control" of Part IX of the Rules of the Illinois Department of Public Health, 4 Ill. Reg. 553 et seq. (1981), as from time to time amended.

"HOSPITAL" means any institution, place, building, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of two or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness, disease, injury, infirmity, or deformity. "HOSPITAL" includes general and specialized hospitals, tuberculosis sanitarium, mental or psychiatric hospitals and sanitarium, maternity homes, lying-in homes, and homes for unwed mothers in which care is given during delivery. "HOSPITAL" does not include, for example, nursing homes, offices of human or animal health care providers, out-patient clinics, or veterinary hospitals.

"INCINERATION" means the complete reduction of a substance to ashes by means of combustion.

"INNOCUOUS HOSPITAL WASTE" is not a special waste, but for the purposes of this Part IX means any hazardous hospital waste which has been properly sterilized or incinerated so as to render it incapable of causing infection.

"NORMAL HOSPITAL WASTE" is not a special waste, but for the purposes of this Part IX includes, but is not limited to, garbage, refuse, such as packaging materials removed before a product reaches patient care areas; disposable medical and patient care items such as basins and water pitchers which have not come in contact with a patient in isolation; and facial tissue and other patient contact items which have not been generated by a patient in isolation.

"STERILIZATION" means the complete destruction of microorganisms by moist or dry heat or by bactericidal chemical compounds.

Rule 902 Disposal methods for hospital waste

- a. No person shall cause or allow hazardous (infectious) hospital waste to be deposited in any landfill.
- b. Hazardous (infectious) hospital waste shall be rendered innocuous pursuant to Rules 903 and 904, or may be disposed of, where lawful, by deposit into a municipal or private sewerage system.
- c. Innocuous hospital waste and normal hospital waste may be disposed of by any lawful means, including incineration in any incinerator appropriate for such waste and for which the Agency has issued a permit, by deposit in any sanitary landfill or by deposit into a municipal or private sewerage system.

Rule 903 Rendering hazardous (infectious) hospital waste innocuous by sterilization

Any hazardous (infectious) hospital waste may be rendered an innocuous hospital waste by:

- a. Sterilization of the waste in an autoclave, provided that the unit is operated in accordance with the manufacturer's recommendations and the autoclave's effectiveness is verified at least weekly with a biological spore assay containing B. stearothermophilus, or
- b. Sterilization of the waste in a commercial ethylene oxide unit that provides controlled temperature and humidity conditions, provided that the unit is operated in accordance with the manufacturer's recommendations and the unit's effectiveness is verified during each use with a biological spore assay containing B. subtilis.

Rule 904 Rendering hazardous (infectious) hospital waste innocuous by incineration

- a. Any hazardous (infectious) hospital waste may be rendered an innocuous hospital waste by incineration provided that:

1. The combustion apparatus is an incinerator designed to destroy the type or class of waste introduced into it, and is operated according to the manufacturer's instructions, and
  2. All permits required by Chapter 2 have been obtained from the Agency, and the conditions of those permits have been met.
- b. The ash produced by the incineration of hazardous (infectious) hospital waste shall be disposed of as required by the Rules of this Chapter and Chapter 7 for disposal of any other incinerator ash.

Rule 905 Recordkeeping requirements for generators of hazardous (infectious) hospital waste

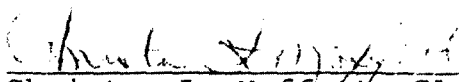
- a. Generators of hazardous (infectious) hospital waste who render such waste into innocuous hospital waste shall keep and make reasonably available for Agency inspection:
1. Records of any required biological spore assay tests.
  2. Records describing the approximate amount of waste sterilized or incinerated.
  3. Records which demonstrate proper operation of the sterilization or incineration equipment (such as time and temperature maintenance for each load).
- b. The requirements of Rule 905(a) may be satisfied by maintenance of the records in the form required to be kept by any hospital licensing or accreditation body, provided that such records include information sufficient to comply with subsection (a).

Rule 906 Defense to enforcement action

Reasonable reliance on a waste generator's identification of waste as innocuous or normal hospital waste shall be a complete defense to an action against a person other than the waste generator for violation of Rule 902(a).

Mr. Werner concurred.  
IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 19<sup>th</sup> day of March 1981, by a vote of 5-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board