

Regulated Medical Waste Management Regulations, Amendment 3

Compliance Assistance Document for Prospective Regulated Medical Waste Transfer Stations

This document provides a *high-level* overview of the [Regulated Medical Waste \(RMW\) Management Regulations \(9VAC20-121\)](#) for potential new RMW Transfer Stations. The new regulations are effective March 15, 2023, and background information on Amendment 3 to the regulations is available on the [Virginia Regulatory Town Hall webpage](#).

Permit Requirements

RMW Transfer Stations are required to obtain a [permit-by-rule](#) prior to operation. The following must be submitted to the [DEQ Regional Office](#) as part of the [permit application](#):

- DEQ Form RMW PBR
- Notice of Intent
- Disclosure Statement
- [Operator Certification](#)
- Local Government Certification
- Public Participation Results
- Siting Certification
- Design and Construction Certification
- Design Plans
- Authorization to Discharge
- Facility Standards Certification
- RMW Management Plan
- Closure Plan and Closure Cost Estimates
- Demonstration of Site Legal Control
- State Corporation Commission Certification
- [Proof of Financial Responsibility](#)
- Permit Application Fee (\$390)

Siting of New Facilities

A new RMW Transfer Station should:

- Be adjacent to or have direct access to paved/surfaced roads capable of withstanding anticipated load limits
- Not be sited or constructed in areas subject to base floods
- Not be closer than:
 - 50 feet to any property boundary;
 - 50 feet to any perennial stream or river;
 - 200 feet to any residence or recreational park area; or
 - 200 feet to any health care facility, school, or similar type public institution, unless the facility is located at the health care facility, school, or similar type public institution
- Provide room to minimize traffic congestion and allow for safe management of RMW and safe operation

Design and Construction Standards

The facility should be [designed and constructed](#) to include the following features:

- All-weather access road
- Onsite queuing capacity
- Adequately sized unloading/loading areas
- Access controls (fencing, gates, locks, etc.)
- Adequate lighting (fixed or portable)
- Covered areas with impermeable surfaces
- Bermed pavement, liquid retaining lip, or equivalent at loading docks and near rolling or bay doors to contain potential leaks and spills
- Floors sloped to drain and discharge directly to an approved sanitary sewer system
- Ventilation discharged to minimize exposure
- Water supply for cleaning purposes
- Fire alarm and protection system
- Fixed radiation detector for waste screening
- Effluent, wash water and runoff shall not discharge to surface waters (unless thru a VPDES permit)
- Any slides, tippers, conveyors, etc. must control movement/impact to maintain packaging integrity
- Adequate storage areas with sufficient capacity
- Designated areas for cleaning and disinfection if reusable containers are managed

Operational Requirements

General Requirements

- Comply with the standards for [general handling](#), [packaging and labeling](#), and [transport](#) of RMW
- Adhere to the permitted process rate and maximum designed storage capacity
- Maintain infrastructure and equipment as designed and permitted
- Provide substitute equipment or implement emergency plan within 24 hours of equipment becoming inoperable

Storage of Regulated Medical Waste

- [Store](#) RMW in a way that maintains the integrity of the packaging, and prevents damage and spills
- Maintain packaging in upright stable configuration
- Stacked containers must be <6 ft above floor level
- Store on surfaces that are impermeable to liquids
- Store unrefrigerated RMW no more than 7 days
- Refrigeration required for storage after 7 days
- No RMW may be stored more than 15 days (total)
- Clearly demonstrate how many days RMW is stored onsite (e.g., date outer packaging, maintain an inventory, log, barcode system, etc.)

Reusable Carts and Containers

- Clean and disinfect immediately after each use
- Clean with detergent and water
- Disinfect using one of the following options:
 1. An EPA-registered general or broad-spectrum disinfectant following instructions on label
 2. Heated rinse water between 180°F and 195°F for at least 15 seconds, or until the surface temperature reaches 160°F, or
 3. Immersion in or rinsing with an [approved chemical sanitizer](#) for at least 3 minutes

Unauthorized Waste Control

- Detect and segregate unauthorized wastes and remove/manage within 10 days of discovery
- Maintain fixed radiation detection equipment to screen incoming waste

Signage and Access Control

- Post signs or markings on access points for RMW management and storage areas
- Secure those areas to prevent unauthorized access and limit to only those designated

Housekeeping and Self-Inspections

- Maintain [spill kits](#) in the vicinity of RMW management areas & address spills immediately
- Keep floors and operational areas clean, orderly, and free of standing liquid and debris
- Contain and direct-discharge effluent, wash water, and runoff to an approved sanitary sewer system
- Ensure floor drains are free-draining at all times
- Conduct monthly self-inspections of all major aspects of facility operations necessary to ensure compliance with the regulations and remedy or repair any issues as soon as feasible

Training

Operators should be trained annually on the following:

- Unauthorized waste control program
- General handling of RMW and use of personal protective equipment
- Packaging, labeling, and storage of RMW
- Cleaning and disinfection of reusable containers
- Facility housekeeping and management of spills
- Overall process and equipment operation
- Emergency contingency plan procedures

+ *Class III operator's license required by [18VAC155-20-110](#)*

RMW should be transported to a facility permitted to receive it for treatment or disposal. Prior to transport, RMW should be packaged and labeled per [49 CFR Part 173](#) of the [U.S. Department of Transportation Hazardous Materials Regulations](#). RMW transporters are subject to [additional requirements](#) under the RMW regulations.

Regulated Medical Waste Management Plan

The facility should maintain and operate in accordance with an [RMW Management Plan](#) including the following elements:

- Certification Page (must recertify plan annually)
- Waste Acceptance Plan
- Unauthorized Waste Control Plan
- Operations Plan
- Emergency Contingency Plan*
- Closure Plan

*Must be provided to local police & fire departments, local emergency manager and local emergency health coordinator

Recordkeeping

The following [records](#) must be maintained in hard copy or digital form for at least 3 years from the date of the record:

- Monitoring information (if required)
- Regulated Medical Waste Management Plan
- Disclosure Statements (and quarterly updates)
- Waste received from offsite, along with generator records affirming loads do not contain hazardous or radioactive waste (unless facility is permitted to accept those waste types)
- Waste shipped/transferred offsite
- Unauthorized waste records
- Monthly self-inspection log
- Employee training records

Reporting

[Solid Waste Information & Assessment \(SWIA\) Reports](#) must be submitted annually by March 31st.

The following conditions require 24-hr (oral) and 5-day (written) reporting to the [DEQ Regional Office](#):

- Noncompliance, emergency, or unusual condition that may endanger health, environment, or facility operation
- Interruptions requiring use of emergency contingency plan or diversion of RMW to another facility
- RMW releases from a fire, explosion, storm, etc. that could endanger health or environment outside the facility
- Unauthorized discharges to surface water
- Spills of RMW in any areas not protected from the elements, such as outside of a building
- Storage of RMW beyond capacity or storage timeframes
- Receipt or discovery of unauthorized waste, or Category A Waste
- Shipment of RMW offsite in inappropriate packaging