



Compliance Alert

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
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COVID-19 GUIDANCE

GENERAL GUIDANCE ON REGULATED MEDICAL WASTE AND REGULATORY STATUS OF DIAGNOSTIC LABORATORIES, TESTING CENTERS AND TEMPORARY OR FIELD HOSPITAL SITES HANDLING OF COVID-19 REGULATED MEDICAL WASTE

The Department of Environmental Protection (DEP) administers New Jersey's [solid waste management program](#) and, in consultation with the New Jersey Department of Health (DOH), administers the State's [regulated medical waste program](#). As a result of the COVID-19 pandemic, the State anticipates a potential increase in solid waste generation in healthcare settings and an increase in locations potentially generating *regulated medical waste*. DEP, in consultation with DOH, has prepared this guidance to facilitate proper management of COVID-19 related wastes.

This guidance applies to all generators, transporters, collection facilities, intermediate handlers and destination facilities that generate, store, collect, transport, transfer, treat, destroy, dispose, or otherwise manage COVID-19 related waste as defined in N.J.A.C. 7:26-3A, including:

- A *regulated medical waste*, which is a special designation for particular categories of waste defined in more detail below
- Used Personal Protective Equipment (PPE), which may or may not be considered *regulated medical waste* depending on the circumstances of use
- Wastes from cleanup and disinfection activities that are not characterized as *regulated medical waste*, which may be handled as ordinary solid waste

The State's *regulated medical waste* rules can apply to any person or entity who generates waste in the course of diagnosis, treatment, immunization, research or testing, subject to certain exemptions. Regulated entities are most often healthcare facilities, including, but not limited to, hospitals (including field or temporary hospitals), testing centers, ambulatory care centers, nursing homes, long-term care facilities, doctors, dentists, laboratories and biomedical research facilities. Non-healthcare facilities (such as residential homes, senior citizen housing, retirement communities, apartment buildings, hotels, or recreational centers) that do not provide medical services are usually not generators of *regulated medical waste*. However, home health aides and agencies that generate *regulated medical waste* in non-healthcare settings are subject to the rules.

WASTE DETERMINATION AND HANDLING

Solid wastes generated in healthcare settings generally fall into two categories (1) ordinary solid waste or (2) *regulated medical waste*.

Ordinary Solid Waste (technically known as "ID10 Municipal Waste") is defined as household, commercial and institutional waste and includes household waste from private residences,

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commercial waste from wholesale, retail or service establishments (e.g., restaurants, stores, markets, theaters, hotels and warehouses), and non-medical institutional waste from schools, hospitals, research institutions and public buildings. Ordinary Solid Waste is disposed of as part of routine trash collection procedures.

Regulated Medical Waste is defined, subject to certain limitations, as any solid waste, generated in the diagnosis, treatment, or immunization of human beings or animals, including research pertaining thereto, or in the production or testing of biologicals (i.e. vaccines or cultures) that falls into one of the following seven waste characteristic classifications:

- cultures and stocks of infectious agents and associated biologicals
- pathological wastes, including bodily fluids and their specimen containers
- sharps used in patient care or treatment, medical research, or laboratories
- human blood and blood products
- animal waste that would be infectious to humans
- isolation wastes
- unused sharps

Prior to classifying wastes, generators should [consult the regulations at N.J.A.C. 7:26-3A](#) to identify *regulated medical waste* characteristics and possible exemptions.

Generally, any waste classified as *regulated medical waste* must be specially handled, treated, and destroyed prior to disposal at an authorized solid waste management facility. The appropriate treatment and destruction can differ based on the waste type.

Due to the nature of *regulated medical waste*, requirements for handling, packaging, labeling, and on-site storage of *regulated medical waste* awaiting removal for disposal are more involved and expensive than those for the handling of ordinary solid waste.

At a minimum, *regulated medical waste* must be:

- Placed in special containers (e.g., rigid, leak-resistant, impervious to moisture);
- Sealed to prevent leakage during transport;
- Packaged in puncture-resistant containers where sharps are involved;
- Labeled with the universal biohazard symbol; and,
- Stored in a secure locked area.

In Healthcare Facility Settings

Generators of solid waste in healthcare facility settings that may be subject to the *regulated medical waste* rules include, but are not limited to, hospitals (including field or temporary hospitals), test centers, ambulatory care centers, nursing homes and long-term care facilities, doctors, dentists, laboratories and biomedical research facilities.

Waste generators should be guided by the following COVID-19 waste management practices:



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- Any waste contaminated with blood, excretion, exudates, or secretions from humans who have COVID-19 is considered *regulated medical waste* and must be handled, packaged and disposed pursuant to the requirements of N.J.A.C. 7:26-3A.
- PPE and cleaning materials (e.g., wipes, rags) contaminated with blood, excretion, exudates, or secretions from humans who have COVID-19 are considered *regulated medical waste*.
- All other wastes, including PPE and cleaning materials (e.g., wipes, rags), that are not contaminated with blood, excretion, exudates, or secretions from humans who have COVID-19, and those who have tested negative, is not considered regulated medical waste and can be disposed as ordinary solid waste.

The DEP acknowledges that delays in receiving COVID-19 test results may make it difficult to determine whether a waste has been in contact of a COVID-19 positive patient at the time the waste is generated. Where waste material has been in contact with a patient that is exhibiting COVID-19 symptoms, DEP suggests classifying the material as a *regulated medical waste*.

Commercial Cleaning Companies

Commercial cleaning companies are not exempt from the *regulated medical waste* rules. Cleaning companies working in facilities where someone has been diagnosed with COVID-19 should follow the same guidelines as required for healthcare facility settings.

Home Self-Care

Residents in private households who utilize home self-care are not required to follow the *regulated medical waste* rule. Home self-care means the provision of medical care in the home setting through either self-administration or by a family member or other person who does not receive monetary compensation for their services. When administering home self-care, New Jersey residents are not considered “generators” of *regulated medical waste* subject to the rule.

DEP recommends, however, that residents with a confirmed COVID-19 diagnosis and those under cautionary quarantine take extra precautions when disposing of household trash. **Your trash should be double bagged, properly closed and tightly tied to avoid any leakage.** Bags should be placed in rigid containers when placed outside prior to pick up to avoid human or animal contact with the waste.

Home Health Aides

Home health aides and agencies that provide home care for monetary compensation (which may also include, but is not limited to, durable medical equipment companies, home infusion companies, and hospice care companies) are not exempt from the *regulated medical waste* rules. These home health care service providers should follow the same guidelines provided above for healthcare facility settings.



Protections for Solid Waste Management Workers

For solid waste collectors and waste management workers involved in the physical collection and handling of wastes and recyclables, the DEP recommends that workers use gloves and follow the precautions noted by the United States, Department of Labor, Occupational Safety and Health Administration (OSHA) at the following link: <https://www.osha.gov/SLTC/covid-19/controlprevention.html#solidwaste>

REGULATORY STATUS OF COVID-19 TESTING SITES, TEMPORARY/FIELD HOSPITAL SITES AND DIAGNOSTIC LABORATORIES

The New Jersey Comprehensive Regulated Medical Waste Management Act, N.J.S.A. 13:1E-48.1 et seq. requires persons that generate, store, transport, collect, transfer, treat, destroy, dispose of or otherwise manage *regulated medical waste* to register their physical site with DEP. Registration includes submission of business information and anticipated waste types to be handled.

To assist in facilitating New Jersey's rapid response to the escalation of the COVID-19 pandemic, DEP is adapting its processes to support the expedited establishment of testing sites, temporary or field hospitals, diagnostic laboratories and other facilities that may generate *regulated medical waste*. DEP will permit facilities engaged in COVID-19 response to forgo the formal *regulated medical waste* generator registration in favor of a more expedited informal process.

Prior to beginning operations, new generators of COVID-19 *regulated medical waste* must:

1. Identify their operations to DEP by submitting their facility credentials, locations, and contact information to covid19rmw@dep.nj.gov. This electronic submission will constitute informal registration
2. Advise their transporters that their facility is informally registered with DEP, provide a copy of their electronic submission, and indicate that they are not required to obtain a generator ID number at this time.

TRANSPORTERS & DISPOSAL FACILITIES

These adapted registration requirements described above for *regulated medical waste* generators **do not apply** to those who transport, collect, transfer, treat, destroy, dispose of or otherwise manage *regulated medical waste*. Where licensed transporters receive *regulated medical waste* for disposal from an informally registered generator, the transporter may list its ID number (NJDEP Solid Waste Transporter Registration Number) in place of the formally registered generator ID number to ensure the tracking form is complete. The use of the transporter ID in this manner, if done pursuant to this guidance, shall not create any additional burden or liability upon the transporter.

The DEP acknowledges that a need may arise to temporarily adapt increases of limits or discretionary allowances among *regulated medical waste* transporters, collection facilities or treatment/disposal facilities to ensure effective waste collection and processing. Where such accommodations are believed to be necessary to facilitate the State's COVID-19 response, requests must be sent to covid19rmw@dep.nj.gov and will be reviewed on a case-by-case basis. The DEP must approve any such accommodation in writing.



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WHO SHOULD I CONTACT WITH QUESTIONS?

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WHERE CAN I GET MORE INFORMATION?

The following web sites can be accessed for additional information:

Regulated Medical Waste Regulations: N.J.A.C. 7:26, Subchapter 3A.

Guidance Document for Regulated Medical Waste:

<https://www.state.nj.us/dep/dshw/rrtp/rmw.htm>

OSHA Standard 1910.1030 – Bloodborne Pathogens: <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030>

OSHA Control and Prevention Guidance for COVID-19

<https://www.osha.gov/SLTC/covid-19/controlprevention.html#health>

USDOT – Definition of an Infectious Substance, Division 6.2

https://ecfr.io/Title-49/se49.2.173_1134

This advisory is intended to be a summary explanation of a DEP initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement number listed above.

For additional information about the State of New Jersey’s response to the novel coronavirus, please visit the COVID-19 Information Hub at covid19.nj.gov.

