



Compliance Advisory

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Compliance & Enforcement #2020-13 Issued: 7/15/2020

Non-Healthcare Facilities are Not Required to Register as Regulated Medical Waste (RMW) Generators

WHO IS AFFECTED BY THIS ADVISORY?

This advisory applies to all non-healthcare facilities who have generated regulated waste under OSHA's 1910.1030(b) standards. 'Regulated waste' means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials. Some examples of non-healthcare facilities include, but are not limited to, convenience stores, home improvement stores, department stores, restaurants, hotels, entertainment centers, and parks.

This advisory also affects regulated medical waste (RMW) transporters because they can now pick up RMW from a non-registered, non-healthcare generator that has received a Department validated request (discussed below).

WHO IS NOT AFFECTED BY THIS ADVISORY?

- Healthcare facilities generating RMW.
- Non-healthcare facilities that generate RMW through immunization programs held on site or other regulated activities. Under N.J.A.C. 7:26-3A.6 a regulated medical waste is defined as any solid waste, generated in the diagnosis, treatment (for example, provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals.

WHY IS DEP ISSUING THIS ADVISORY?

DEP recognizes that there is an opioid epidemic in the United States and non-healthcare facilities are being significantly impacted by improperly discarded syringes on their property. This advisory provides information on a new process for non-healthcare facilities which alleviates the need to register as a generator and allows these facilities to provide RMW to a licensed RMW transporter, using the transporter's number as the generator number. In addition to the opioid epidemic, non-healthcare facilities may be experiencing other circumstances that increase the RMW such as, an employee or customer accident that may generate potentially infectious material, or an employee who is diabetic or has an allergy and self-administers their injection.

WHAT IS DEP DOING?

To allow for the quick and safe disposal of improperly discarded sharps and other OSHA regulated waste, DEP has established a RMW registration relief process for non-healthcare facilities to use a

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DEP validated request response message in place of registering as a regulated medical waste generator.

This new process is an alternative to the “one time only” exemption from registration (N.J.A.C. 7:26-3A.6(b)8) due to the increasing volume of syringes that are being improperly discarded. This “one time only” exemption may still apply to a facility or individual who is managing RMW or non-regulated medical waste as a RMW, that is either generated by a person and is less than 100 pounds or has become the property of a person other than the original generator; and where such person has not generated RMW within a two-year period prior to requesting the exemption, and does not plan to generate RMW in the future.

WHAT SHOULD I DO?

The new process requires submitting a request to DEP. The facility must submit the following information with the request:

- Identify their operations to DEP by submitting their facility credentials, location(s), and contact information to rmwregistrationrelief@dep.nj.gov. In the notification identify the operations of the facility and why or how medical waste is being generated on site.
- Once the DEP receives your submission and reviews the request, a response will be e-mailed back to you validating or declining your request.

If your request is validated, please advise your transporters that the facility is not required to register as a RMW generator with the DEP. Provide an electronic copy of the Department’s response and indicate that the person making the request is not required to obtain a generator ID number at this time.

WHO SHOULD I CONTACT WITH QUESTIONS?

DEP Bureau of Hazardous Waste Compliance and Enforcement:

Amy Scaffidi (609) 439-9651 or amy.scaffidi@dep.nj.gov

WHERE CAN I GET MORE INFORMATION?

The following web sites can be accessed for additional information:

Guidance Document for Regulated Medical Waste: <https://www.state.nj.us/dep/dshw/rrtp/rmw.htm>

New Jersey Regulated Medical Waste Regulations: N.J.A.C. 7:26, Subchapter 3A
<https://www.state.nj.us/dep/dshw/resource/CURRENT/WEB%20PDFS/26%20CHAPTER%203A.pdf>

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

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