

MEDICAL WASTE PRODUCERS: REFERENCE INFO ON TRANSPORT REGULATIONS

The Medical Waste Regulatory Program administers the on-site generation, treatment, packaging and storage of medical waste under the Michigan Department of Environmental Quality. As a general procedure when conducting inspections of regulated facilities, program inspection staff typically require that, unless treated on-site, producing facilities provide copies of the "shipping records" from any contracted disposal/hauling service they use, not only as a means to verify that medical waste generated at each facility is treated appropriately before disposal in accordance with the Medical Waste Regulatory Act (MWRA), Part 138 of the Public Health Code, but also as a means to validate that it is removed from the generation site at least every 90 days.

The shipping record requirement is not explicitly required within the language of the MWRA or Administrative Rules, but it is the most practical method for regulators to verify compliance. The Administrative Rules promulgated as required under the MWRA only states the following regarding packaging:

R 325.1542 Packaging, labeling, storage, and transportation.

Rule 2. (1) In addition to the requirements established in section 13821 of the act, containers used for packaging, shipping, and transportation of regulated medical waste shall comply with the requirements of Michigan's motor carrier safety act, Act No. 181 of the Public Acts of 1963, as amended, being §§480.11 to 480.22 of the Michigan Compiled Laws.

[http://www.legislature.mi.gov/\(S\(dee2zuzufzvjj45nrjynrx\)\)/documents/mcl/pdf/mcl-Act-181-of-1963.pdf](http://www.legislature.mi.gov/(S(dee2zuzufzvjj45nrjynrx))/documents/mcl/pdf/mcl-Act-181-of-1963.pdf)

The United States Department of Transportation's regulations do, however, require records of shipping and final destruction to be maintained by each shipper, and designate "Regulated Medical Waste" as a Division 6.2 hazardous material during shipping. These regulations have been created to ensure safe handling and transport of such materials. **The shipper is always responsible** for the shipment until it reaches its final destination, and many facility owners are unaware that any employee that packages medical waste for shipment and/or signs off on the shipping paper before the hauler removes the waste from the facility are required to have function specific, safety, and awareness training documented to be in compliance.

It is not the responsibility nor within our authority to interpret the rules of the USDOT for producing facilities, but it is always good public service to point them in the right direction if they are unaware of what they are doing by certifying medical waste shipments for shipping, or if they are performing other procedures that may be questionable under USDOT regulations. Here are some good reference contacts:

Department of Transportation:

eCFR 49 Shipping Regulations

Division 6.2 Infectious Substances (§173.134)

DOT HAZMAT Questions: <http://www.phmsa.dot.gov/hazmat>

Info-Line: 1-800-467-4922

OR

Mr. Eddie Scott, Trainer

Email - Eddie.Scott@dot.gov;

Phone - (405) 954-4512

The Michigan State Police also have been delegated authority to enforce and interpret USDOT codes. The applicable contact info for the MSP includes the following:

Michigan State Police

Investigations and Hazardous Materials Unit

Phone: (517) 241-0551

http://www.michigan.gov/msp/0,4643,7-123-60152_66817---,00.html