
ENGROSSED SUBSTITUTE SENATE BILL 5082

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Swecker and Rasmussen)

Read first time 03/03/99.

1 AN ACT Relating to microbial inactivation of biomedical waste;
2 amending RCW 70.95K.010; adding a new section to chapter 70.95K RCW;
3 creating a new section; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that laboratory-
6 generated cultures and stocks are the most dangerous portion of the
7 biomedical waste stream. It is the purpose of this act to require the
8 microbial inactivation of cultures and stocks.

9 **Sec. 2.** RCW 70.95K.010 and 1994 c 165 s 2 are each amended to read
10 as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout this chapter.

13 (1) "Biomedical waste" means, and is limited to, the following
14 types of waste:

15 (a) "Animal waste" is waste animal carcasses, body parts, and
16 bedding of animals that are known to be infected with, or that have
17 been inoculated with, human pathogenic microorganisms infectious to
18 humans.

1 (b) (~~"Biosafety level 4 disease waste" is waste contaminated with~~
2 ~~blood, excretions, exudates, or secretions from humans or animals who~~
3 ~~are isolated to protect others from highly communicable infectious~~
4 ~~diseases that are identified as pathogenic organisms assigned to~~
5 ~~biosafety level 4 by the centers for disease control, national~~
6 ~~institutes of health, biosafety in microbiological and biomedical~~
7 ~~laboratories, current edition.~~

8 (~~e~~)) "Cultures and stocks" are laboratory wastes infectious to
9 humans (~~(and includes specimen cultures, cultures and stocks of~~
10 ~~etiologic agents, wastes from production of biologicals and serums,~~
11 ~~discarded live and attenuated vaccines, and laboratory waste that has~~
12 ~~come into contact with cultures and stocks of etiologic agents or blood~~
13 ~~specimens. Such waste includes but is not limited to culture dishes,~~
14 ~~blood specimen tubes, and devices used to transfer, inoculate, and mix~~
15 ~~cultures)) requiring biosafety level 3 or biosafety level 4 practices.~~

16 (~~(d)~~)) (c) "Human blood and blood products" is discarded waste
17 human blood and blood components, and materials containing free-flowing
18 blood and blood products.

19 (~~(e)~~)) (d) "Pathological waste" is waste human source biopsy
20 materials, tissues, and anatomical parts that emanate from surgery,
21 obstetrical procedures, and autopsy. "Pathological waste" does not
22 include teeth, human corpses, remains, and anatomical parts that are
23 intended for interment or cremation.

24 (~~(f)~~)) (e) "Sharps waste" is all hypodermic needles, syringes with
25 needles attached, IV tubing with needles attached, scalpel blades, and
26 lancets that have been removed from the original sterile package.

27 (2) "Biosafety level 3 practices" means practices identified in the
28 centers for disease control and prevention publication, "Biosafety in
29 Microbial and Biomedical Laboratories," third edition, May 1993, as
30 necessary to handle indigenous or exotic agents properly, which agents
31 may be aerosol-transmitted and may cause serious and potentially lethal
32 infection.

33 (3) "Biosafety level 4 practices" means practices identified in the
34 centers for disease control and prevention publication, "Biosafety in
35 Microbial and Biomedical Laboratories," third edition, May 1993, as
36 necessary to handle dangerous and exotic agents properly, which agents
37 pose a high risk of life-threatening disease, may be aerosol-
38 transmitted, and for which there is no available vaccine or therapy.

1 (4) "Drop-off programs" means those program sites designated by the
2 solid waste planning jurisdiction where sharps users may dispose of
3 their sharps containers.

4 (5) "Local government" means city, town, or county.

5 ~~((3) "Local health department" means the city, county, city-~~
6 ~~county, or district public health department.~~

7 ~~(4))~~ (6) "Local health jurisdiction" means the county, city-county
8 or multicounty public health department or district.

9 (7) "Mail programs" means those programs that provide sharps users
10 with a multiple barrier protection kit for the placement of a sharps
11 container and subsequent mailing of the wastes to an approved disposal
12 facility.

13 (8) "Person" means an individual, firm, corporation, association,
14 partnership, consortium, joint venture, commercial entity, state
15 government agency, or local government.

16 ~~((5) "Treatment" means incineration, sterilization, or other~~
17 ~~method, technique, or process that changes the character or composition~~
18 ~~of a biomedical waste so as to minimize the risk of transmitting an~~
19 ~~infectious disease.~~

20 ~~(6))~~ (9) "Pharmacy return programs" means those programs where
21 sharps containers are returned by the user to designated return sites
22 located at a pharmacy to be transported by a biomedical or solid waste
23 collection company approved by the utilities and transportation
24 commission.

25 (10) "Residential sharps waste" has the same meaning as "sharps
26 waste" in subsection (1) of this section except that the sharps waste
27 is generated and prepared for disposal at a residence, apartment,
28 dwelling, or other noncommercial habitat.

29 ~~((7))~~ (11) "Sharps waste container" means a leak-proof, rigid,
30 puncture-resistant ((red)) container that is taped closed or tightly
31 lidded to prevent the loss of the residential sharps waste.

32 ~~((8) "Mail programs" means those programs that provide sharps~~
33 ~~users with a multiple barrier protection kit for the placement of a~~
34 ~~sharps container and subsequent mailing of the wastes to an approved~~
35 ~~disposal facility.~~

36 ~~(9) "Pharmacy return programs" means those programs where sharps~~
37 ~~containers are returned by the user to designated return sites located~~
38 ~~at a pharmacy to be transported by a biomedical or solid waste~~

1 collection company approved by the utilities and transportation
2 commission.

3 ~~(10)~~ "Drop-off programs" means those program sites designated by
4 the solid waste planning jurisdiction where sharps users may dispose of
5 their sharps containers.

6 ~~((11))~~ (12) "Source separation" has the same meaning as in RCW
7 70.95.030.

8 (13) "Treatment" means incineration, sterilization, or other
9 method, technique, or process that changes the character or composition
10 of a biomedical waste so as to minimize the risk of transmitting an
11 infectious disease.

12 ~~((12))~~ (14) "Unprotected sharps" means residential sharps waste
13 that are not disposed of in a sharps waste container.

14 NEW SECTION. Sec. 3. A new section is added to chapter 70.95K RCW
15 to read as follows:

16 Generators of cultures and stocks shall treat those cultures and
17 stocks before final disposal in either of the following ways: (1) The
18 generators may treat the cultures and stocks before transport from the
19 facility; or (2) segregate the cultures and stocks from other
20 biomedical waste and transport them to a treatment facility. Cultures
21 and stocks shall not be subject to any process that creates the
22 potential for the generation or release of airborne pathogens from the
23 waste before treatment.

24 NEW SECTION. Sec. 4. Section 3 of this act takes effect January
25 1, 2001.

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