

**County of Santa Clara
Department of Environmental Health
Hazardous Materials Compliance Division
Solid Waste Programs**



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To Whom It May Concern:

SUBJECT: IMPACTS OF ASSEMBLY BILL NUMBER 333 ON THE MEDICAL WASTE MANAGEMENT PROGRAM

The Department of Environmental Health (DEH) acts as the enforcement agency for the Medical Waste Management Act in the County of Santa Clara, on behalf of the California Department of Public Health. On September 25, 2014, Assembly Bill 333 (AB 333) was signed by the Governor and filed with the Secretary of State. AB 333 amends multiple sections of the Medical Waste Management Act MWMA.

Upon review and analysis of AB 333, DEH has determined that medical waste generators will be impacted as follows, beginning on January 1, 2015:

1) MWMA Section 117890: Facilities are now required to notify DEH of participation in temporary offsite events. Temporary events include, but are not limited to, health fairs, vaccination clinics, and veteran stand downs. Facilities must notify the local enforcement agency of their intended participation at least 72 hours before the event, unless the sponsor of the temporary event previously notified the local enforcement agency.

2) MWMA Sections 117946 & 117976: DEH will no longer issue Limited Quantity Hauling Exemptions (LQHE). Medical waste generating facilities may transport up to 37.5 pounds of medical waste, pursuant to the Materials of Trade Exemption contained in Section 173.6 of Title 49 of the Code of Federal Regulations, and provided the following requirements are met:

- The primary business is not to haul or treat medical waste
- The generator adheres to the requirement of the Materials of Trade Exemption contained in Section 173.6 of Title 49 of the Code of Federal Regulations.
- A form or log is provided to the receiving facility that documents
 - a) the name of the person transporting medical waste,
 - b) the number of containers transported, and
 - c) the date of transport;

The receiving facility shall maintain log or form for two years. There is no requirement to register with DEH for the Materials of Trade Exemption.

3) MWMA Section 117935 and 117960: Additional information must be included in the Medical Waste Management Plan (MWMP). The MWMP must include the steps taken to categorize pharmaceutical wastes. If there is onsite treatment, the MWMP must include a closure plan for the termination of treatment.

4) MWMA Section 117967: Facilities with onsite treatment must provide training. Annual training compliant with Occupational Safety and Health Administration (OSHA) standards is required on the use of the equipment, the proper protective equipment to wear, and how to clean up spills.

5) MWMA Section 117630: Biohazard bags must meet updated requirements. The bags must meet the standards of the American Society for Testing Materials (ASTM) D1922, "Standard Test Method for Propagation Tear Resistance of Plastic Film and Thin Sheeting by Pendulum Method" and for impact resistance in ASTM D1709, "Standard Test Methods for Impact Resistance of Plastic Film by the Free-Falling Dart Method," as those documents were published on January 1, 2014. The film bag shall meet an impact resistance of 165 grams and a tearing resistance of 480 grams in both parallel and perpendicular planes with respect to the length of the bag. The biohazardous waste bags must be red, except when yellow bags are used to further segregate trace chemotherapy waste and white bags are used to further segregate pathology waste.