

Rep. Baggett, chem.
Rep. Kettering
Rep. Fallon

HSB 100
ENVIRONMENTAL PROTECTION

SENATE/HOUSE FILE SE/HF 115
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act eliminating certain requirements relating to the
2 regulation of infectious waste.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 455B.501, subsection 2, Code 1999, is
2 amended to read as follows:

3 2. The department shall ~~institute an infectious waste~~
4 ~~management program in cooperation with the Iowa department of~~
5 ~~public health. The program shall include all of the following~~
6 ~~elements:~~

7 a. ~~Recommendations to the commission for revision of the~~
8 ~~rules which refer to infectious waste as hazardous or toxic~~
9 ~~waste.~~

10 b. ~~Initiation, in cooperation with associations of health~~
11 ~~care providers of an information and education effort~~
12 ~~regarding the current requirements for special waste~~
13 ~~authorizations prior to the disposal of infectious wastes in a~~
14 ~~landfill. The effort shall include an attempt to compile an~~
15 ~~inventory of the number of generators and the volumes~~
16 ~~generated. The inventory shall be completed and a report~~
17 ~~regarding the results of the inventory submitted to the~~
18 ~~general assembly by no later than January 15, 1991.~~

19 c. ~~Upon completion of the compilation of the inventory,~~
20 ~~the department shall recommend, for adoption by the~~
21 ~~commission, standards for on-site and off-site treatment of~~
22 ~~infectious waste. In developing standards, the department~~
23 ~~shall consider factors affecting the feasibility of~~
24 ~~alternative methods of treatment and disposal, including but~~
25 ~~not limited to the volume of infectious waste generated, the~~
26 ~~availability of treatment facilities within geographic areas,~~
27 ~~and the costs of transporting infectious wastes to treatment~~
28 ~~facilities. The standards shall include monitoring~~
29 ~~requirements for treatment facilities, and training~~
30 ~~requirements for operators of facilities. The standards may~~
31 ~~include requirements for management plans dealing with the~~
32 ~~plans for management of infectious wastes in compliance with~~
33 ~~adopted standards. In cases in which an individual generator~~
34 ~~of infectious waste is served by a person treating or~~
35 ~~disposing of the infectious waste, the person treating or~~

1 disposing of the waste may prepare the plan for all generators
2 served.

3 ~~d.--The department shall undertake a public information~~
4 ~~program, in conjunction with the Iowa department of public~~
5 ~~health and health care providers, to promote public~~
6 ~~understanding of the scope and features of state and private~~
7 ~~efforts to manage infectious wastes.~~

8 Sec. 2. Section 455B.503, Code 1999, is amended to read as
9 follows:

10 455B.503 INFECTIOUS WASTE TREATMENT AND DISPOSAL
11 FACILITIES -- PERMITS REQUIRED -- RULES.

12 The commission shall adopt rules which require a person who
13 owns or operates an infectious waste treatment or disposal
14 facility to obtain an operating permit before initial
15 operation of the facility. The rules shall specify the
16 information required to be submitted with the application for
17 a permit and the conditions under which a permit may be
18 issued, suspended, modified, revoked, or renewed. The rules
19 shall address but are not limited to the areas of operator
20 safety, recordkeeping and tracking procedures, best available
21 appropriate technologies, emergency response and remedial
22 action procedures, waste minimization procedures, and long-
23 term liability. ~~The department shall submit proposed rules to~~
24 ~~the commission and notify the general assembly of the~~
25 ~~submission of the proposed rules pursuant to section 7A:11 and~~
26 ~~the commission shall adopt rules by January 15, 1994.~~ The
27 department shall not grant permits for the construction or
28 operation of a commercial infectious waste treatment or
29 disposal facility until the commission has adopted the
30 required rules, ~~and in no event earlier than July 17, 1994.~~

31 Sec. 3. Sections 455B.502 and 455B.504, Code 1999, are
32 repealed.

33 EXPLANATION

34 This bill eliminates certain requirements relating to the
35 regulation of infectious waste. The bill eliminates the

1 requirement that the department of natural resources must
2 institute an infectious waste management program in
3 cooperation with the department of public health. The bill
4 eliminates timing and notification requirements relating to
5 the adoption of rules regulating permits for infectious waste
6 treatment and disposal facilities. The bill repeals Code
7 section 455B.502, which relates to requirements for regents
8 universities operating infectious medical waste incinerators.
9 The bill repeals Code section 455B.504, which relates to
10 permits for infectious medical waste collection or
11 transportation operations.

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TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

LARRY J. WILSON, DIRECTOR

100

To: Iowa General Assembly
From: Iowa Department of Natural Resources
Date: December 1, 1998
Subject: Proposed Department Legislation

Attached is a departmental proposed bill to delete specific language and delete two sections of Iowa Code relating to infectious waste.

A) Delete language from 455B.501 requiring the department to institute and infectious waste management program with the Iowa Department of Public Health to promote public understanding of infectious waste disposal and require a report to the general assembly in January 1991. The report is an attempt to compile an inventory of volumes generated and the number of generators. The report was prepared and presented to the General Assembly, and the Department of Public Health has completed work on promotion of public understanding of infectious waste disposal.

B) Repeal 455B.502, requiring regent universities which operate an infectious medical waste incinerator to monitor emissions and meet the department emission limitations. EPA has adopted federal standards covering Hospital/Medical/ Infectious Waste Incinerators and Municipal Waste Combustors. The Environmental Protection Commission adopted these HWIMI rules as final rules at their meeting October 19, 1998. Regent universities will now fall under these new rules.

C) Delete language from 455B.503 requiring the department to submit proposed rules to the commission and adopt rules for infectious waste treatment and disposal facilities by January 15, 1994. Infectious waste treatment and disposal facilities currently are part of the existing waste permit process and fall under the newly adopted HWIMI rules adopted by EPC on 10/19/98.

D) Repeal 455B.504 requiring the commission to adopt rules, which govern infectious medical waste collection and transportation. Rules no longer necessary due to newly adopted HWIMI rules adopted by EPC on 10/19/98. Waste collection and transport can be covered under existing solid waste regulations.

MAR 3 1999

REPRINTED

Place On Calendar

489

HOUSE FILE
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 100)

Passed House, Date 3-17-99 Passed Senate, Date 4/12/99
Vote: Ayes 95 Nays 0 Vote: Ayes 48 Nays 0
Approved April 21, 1999

A BILL FOR

- 1 An Act eliminating certain requirements relating to the
- 2 regulation of infectious waste.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HOUSE FILE 489

H-1097

- 1 Amend House File 489 as follows:
 - 2 1. Page 2, by striking line 31 and inserting the
 - 3 following:
 - 4 "Sec. 3. Section 455B.502, Code 1999, is".
- | | |
|---------------------|-------------------|
| By KREIMAN of DAVIS | BOGCESS of Taylor |
| DODERER of JOHNSON | DAVIS of Wapello |

H-1097 FILED MARCH 16, 1999

Adopted 3-17-99

(P.721)

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HF 489

1 Section 1. Section 455B.501, subsection 2, Code 1999, is
2 amended to read as follows:

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5 ~~public health. The program shall include all of the following~~
6 ~~elements:~~

7 a. ~~Recommendations to the commission for revision of the~~
8 ~~rules which refer to infectious waste as hazardous or toxic~~
9 ~~waste.~~

10 b. ~~Initiation, in cooperation with associations of health~~
11 ~~care providers of an information and education effort~~
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3 ~~d.--The department shall undertake a public information~~
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8 Sec. 2. Section 455B.503, Code 1999, is amended to read as
9 follows:

10 455B.503 INFECTIOUS WASTE TREATMENT AND DISPOSAL
11 FACILITIES -- PERMITS REQUIRED -- RULES.

12 The commission shall adopt rules which require a person who
13 owns or operates an infectious waste treatment or disposal
14 facility to obtain an operating permit before initial
15 operation of the facility. The rules shall specify the
16 information required to be submitted with the application for
17 a permit and the conditions under which a permit may be
18 issued, suspended, modified, revoked, or renewed. The rules
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20 safety, recordkeeping and tracking procedures, best available
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22 action procedures, waste minimization procedures, and long-
23 term liability. ~~The department shall submit proposed rules to~~
24 ~~the commission and notify the general assembly of the~~
25 ~~submission of the proposed rules pursuant to section 7A.11 and~~
26 ~~the commission shall adopt rules by January 15, 1994.~~ The
27 department shall not grant permits for the construction or
28 operation of a commercial infectious waste treatment or
29 disposal facility until the commission has adopted the
30 required rules, ~~and in no event earlier than July 1, 1994.~~

31 Sec. 3. Sections 455B.502 and 455B.504, Code 1999, are
32 repealed.

33 EXPLANATION

34 This bill eliminates certain requirements relating to the
35 regulation of infectious waste. The bill eliminates the

1 requirement that the department of natural resources must
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3 cooperation with the department of public health. The bill
4 eliminates timing and notification requirements relating to
5 the adoption of rules regulating permits for infectious waste
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S-3/17/99 Nat. Res. +
Enviro.
S-3/24/99 Do Pass

HOUSE FILE 489
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 100)

Passed House, Date _____ Passed Senate, Date 4/12/99
(p.1061)
Vote: Ayes _____ Nays _____ Vote: Ayes 48 Nays 0
Approved April 21, 1999

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House Amendments _____

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13 owns or operates an infectious waste treatment or disposal
14 facility to obtain an operating permit before initial
15 operation of the facility. The rules shall specify the
16 information required to be submitted with the application for
17 a permit and the conditions under which a permit may be
18 issued, suspended, modified, revoked, or renewed. The rules
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21 appropriate technologies, emergency response and remedial
22 action procedures, waste minimization procedures, and long-
23 term liability. ~~The department shall submit proposed rules to~~
24 ~~the commission and notify the general assembly of the~~
25 ~~submission of the proposed rules pursuant to section 7A.11 and~~
26 ~~the commission shall adopt rules by January 15, 1994.~~ The
27 department shall not grant permits for the construction or
28 operation of a commercial infectious waste treatment or
29 disposal facility until the commission has adopted the
30 required rules, ~~and in no event earlier than July 1, 1994.~~

31 Sec. 3. Section 455B.502, Code 1999, is repealed.

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AN ACT
ELIMINATING CERTAIN REQUIREMENTS RELATING TO THE
REGULATION OF INFECTIOUS WASTE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.501, subsection 2, Code 1999, is amended to read as follows:

2. The department shall institute an infectious waste management program in cooperation with the Iowa department of public health. The program shall include all of the following elements:

a. Recommendations to the commission for revision of the rules which refer to infectious waste as hazardous or toxic waste;

b. Initiation, in cooperation with associations of health care providers of an information and education effort regarding the current requirements for special waste authorizations prior to the disposal of infectious wastes in a landfill. The effort shall include an attempt to compile an inventory of the number of generators and the volumes generated. The inventory shall be completed and a report regarding the results of the inventory submitted to the general assembly by no later than January 15, 1991;

c. Upon completion of the compilation of the inventory, the department shall recommend, for adoption by the commission, standards for on-site and off-site treatment of infectious waste. In developing standards, the department shall consider factors affecting the feasibility of alternative methods of treatment and disposal, including but not limited to the volume of infectious waste generated, the availability of treatment facilities within geographic areas,

and the costs of transporting infectious wastes to treatment facilities. The standards shall include monitoring requirements for treatment facilities, and training requirements for operators of facilities. The standards may include requirements for management plans dealing with the plans for management of infectious wastes in compliance with adopted standards. In cases in which an individual generator of infectious waste is served by a person treating or disposing of the infectious waste, the person treating or disposing of the waste may prepare the plan for all generators served.

d. The department shall undertake a public information program, in conjunction with the Iowa department of public health and health care providers, to promote public understanding of the scope and features of state and private efforts to manage infectious wastes.

Sec. 2. Section 455B.503, Code 1999, is amended to read as follows:

455B.503 INFECTIOUS WASTE TREATMENT AND DISPOSAL
FACILITIES -- PERMITS REQUIRED -- RULES.

The commission shall adopt rules which require a person who owns or operates an infectious waste treatment or disposal facility to obtain an operating permit before initial operation of the facility. The rules shall specify the information required to be submitted with the application for a permit and the conditions under which a permit may be issued, suspended, modified, revoked, or renewed. The rules shall address but are not limited to the areas of operator safety, recordkeeping and tracking procedures, best available appropriate technologies, emergency response and remedial action procedures, waste minimization procedures, and long-term liability. The department shall submit proposed rules to the commission and notify the general assembly of the submission of the proposed rules pursuant to section 7A.11 and the commission shall adopt rules by January 15, 1994. The

department shall not grant permits for the construction or operation of a commercial infectious waste treatment or disposal facility until the commission has adopted the required rules, ~~and in no event earlier than July 1, 1994.~~

Sec. 3. Section 455B.502, Code 1999, is repealed.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House is known as House File 489, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 21, 1999

THOMAS J. VILSACK
Governor