

## Regulated Medical Waste Management Regulations, Amendment 3

### Frequently Asked Questions About Regulated Medical Waste Packaging and Labeling

*All generators of regulated medical waste are subject to requirements for general handling, packaging, labeling, storage, reusable container cleaning, spill cleanup, disposal and recordkeeping under the [Regulated Medical Waste Management Regulations \(9VAC20-121\)](#). The new regulations became effective March 15, 2023, and background information on Amendment 3 to the regulations is available on the [Virginia Regulatory Town Hall webpage](#).*

#### Who is responsible for the packaging and labeling of regulated medical waste?

The generator of the regulated medical waste is responsible for the packaging and labeling of the waste onsite prior to storage, treatment, or transport.

#### May contractors assist generators with packaging and labeling of regulated medical waste?

Yes. Contractors or other agents may provide services to the generator, including packaging and labeling of regulated medical waste; however, no contract or other relationship shall relieve the generator of the responsibility for packaging and labeling the regulated medical waste. Contractors or other agents may package or label regulated medical wastes, so long as the packaging and labeling is performed onsite where the waste was generated, and no transportation, storage, treatment, or disposal occurs prior to the packaging. Contractors or other agents may also repackage regulated medical waste that has spilled during transportation. No one shall receive for transportation, transfer, storage, or treatment any regulated medical waste that is not properly packaged and labeled.

#### How must regulated medical waste be packaged?

When regulated medical wastes are first discarded, they must be placed directly into bags or containers meeting the Bloodborne Pathogen Standard ([16VAC25-90-1910.1030](#), [29 CFR 1910.1030](#)). This standard requires the packaging to be closable, constructed to contain all contents and prevent leakage of fluids, labeled, and closed prior to removal.

Red bags shall be used to package regulated medical waste, except for sharps. Sharps must be placed directly into puncture resistant containers. Waste packages must not be overfilled, and sharps containers must not be filled beyond the fill line indicated on the container.

As a bag or container becomes full at the point of generation and prior to moving it to a designated storage area, it must be closed, capped, or sealed so that no waste materials can leak, spill, or protrude. Once closed, capped, or sealed, bags and containers of regulated medical waste shall not be opened, unsealed, unpackaged, or repackaged. If damage, spills, or outside contamination of the packaging occurs, the bag or container of regulated medical waste must be placed in appropriate secondary packaging.

#### How must regulated medical waste be labeled?



A clearly legible label must be securely attached to or printed directly on the packaging of each individual bag or container. The label may be a tag or sticker securely affixed to the package. Generators may utilize pre-printed bags, pre-printed labels, permanent markers, or a combination of these options. The label shall include the following information in permanent ink:

- Name, address, and business phone number of the generator,
- "Regulated Medical Waste," "Biohazard," or "Infectious Waste" in large print,
- The universal biohazard symbol, and
- **For hospitals**, the specific department or lab where the waste originated.

For generators other than hospitals, the label is not required to include the department or lab where the waste originated.

Prior to transporting regulated medical waste offsite for treatment, transfer, or disposal, waste shall be packaged and labeled for transportation per [49 CFR Part 173](#) of the [U.S. Department of Transportation Hazardous Materials Regulations](#). Regulated Medical Waste Transporters are subject to [additional requirements](#) under the regulations.

### **Do hospitals need to include the specific room number on the regulated medical waste label?**

No. Hospitals do not necessarily need to label the regulated medical waste with the specific room number that the bag or container came out of. The generator may include the room number on the label if they would like to, but that may be more detailed than what is required. Hospitals are required to label the regulated medical waste with the specific department or lab where the waste was generated. In lieu of a department or lab name, the label may include the name of a hospital unit (if that is how the hospital distinguishes different areas or healthcare functions) or a floor name/number if the floor is made up of all the same unit/function and thus generating similar types of regulated medical waste.

### **Why are hospitals required to include department or lab names on the regulated medical waste label?**

The generator contact information allows all regulated medical waste to be tracked back to the correct generator if spilled, improperly handled, sent to the wrong facility or location for treatment/management, or subject to some other unforeseen emergency. The additional information on hospital labels (specific department or lab where the waste was generated) is intended to distinguish between potentially different types of regulated medical waste that may vary by healthcare function or specialty. This provides more specific information to waste handlers, emergency responders, and regulators about the potential types of waste contained (for treatment and management purposes) as well as potential safety risks the waste types may pose should a spill, exposure incident, improper management, or emergency occur. Furthermore, it allows for re-training of the correct individuals following any discovery of improper or incorrect management.

### **Does each regulated medical waste bag and container need to be labeled?**

Yes. Each regulated medical waste bag and container must be labeled. However, if multiple red biohazard bags originating from the same functional area of the facility (and thus generating similar waste types) are placed inside a secondary/outer red biohazard bag (for example, when lining the inside of a reusable container), OR if regulated medical waste is double-bagged, then the label may be placed on the outer red biohazard bag.

### **Does each regulated medical waste sharps container need to be labeled?**

Yes. Each sharps container must be labeled. The regulations do not allow for labeling of a sharps transport rack in lieu of labeling each sharps container on the rack.

### **How must regulated medical waste in reusable carts or containers be labeled?**

When regulated medical waste is conveyed in reusable carts or containers, the cart or container must be marked with the universal biohazard symbol and/or color-coded red to indicate that the contents contain regulated medical waste. Except for inside a reusable sharps container, the regulated medical waste inside a reusable cart or container must also be labeled. The regulations do not allow for a reusable container (such as a 96-gal Schaefer cart) to be labeled in lieu of labeling the waste inside. The reusable container may be labeled in addition to the waste inside if the generator would like to do that, but the waste inside the reusable container must still be labeled.

### **How long may small quantity generators store regulated medical waste?**

Small quantity generators (those that generate less than 250 gallons of regulated medical waste per calendar month), must arrange for removal of all full bags and containers of regulated medical waste stored onsite at least once per calendar month and provide shipment to a facility permitted to receive it for transfer, treatment or disposal. During the calendar months when regulated medical waste is in storage, the generator would need to arrange for removal. If there is no regulated medical waste in storage, a pick-up would not need to be scheduled that month. No full bags or containers of regulated medical waste may be stored onsite for more than 45 calendar days, and no more than 250 gallons of regulated medical waste (total) may be stored onsite at any given time.

### **How long may large quantity generators store regulated medical waste?**

Large quantity generators (those that generate 250 gallons or more of regulated medical waste per calendar month), must arrange for removal of all full bags and containers of regulated medical waste stored onsite at least once per calendar week and provide shipment to a facility permitted to receive it for transfer, treatment or disposal. During the calendar weeks when regulated medical waste is in storage, the generator would need to arrange for removal. If there is no regulated medical waste in storage, a pick-up would not need to be scheduled that week. No full bags or containers of regulated medical waste may be stored onsite for more than 10 calendar days.

### **When do the storage time limits for regulated medical waste begin?**

Regulated medical waste storage time limits are linked to the date waste is first placed in storage, not the date waste is first placed into a red bag or sharps container. A bag or container is not considered to be in storage while it is still being filled at the point of generation. Once full (or once a container's designated fill line is reached), it must be sealed, closed, labeled and moved to a designated storage area. The day it becomes full and is moved to storage is considered day 0. The bag or container may be labeled with the date it was closed and moved to storage to indicate when storage began.