



START ACTION NOTICE (SAN)

SAN # 2021-08

DOCKET # 2021-R-WH-0018

1. TYPE OF ACTION AND THE REGULATION NUMBER AND NAME:

Amendments to the infectious waste regulatory requirements within 7 DE Admin. Code 1301, Delaware's *Regulations Governing Solid Waste (DRGSW)*.

2. PURPOSE OF ACTION:

The Division of Waste and Hazardous Substances (WHS), Compliance and Permitting Section (CAPS) is proposing to modify DRGSW infectious waste regulatory requirements to: reorganize the regulations to improve clarity and applicability for the regulated community, update outdated and obsolete regulatory language, and eliminate contradictions within the permitting requirements for facilities utilizing autoclaves for the treatment of infectious waste.

3. STATUTORY BASIS:

7 Del. C. §6010(a)

4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE.

No. This proposed regulatory action is not required as a result of a federal statute or regulation.

5. DATE OF MOST RECENT AMENDMENT/REVIEW (please indicate if review was pursuant to 29 Del.C. §10407):

The most recent amendments of the DRGSW sections within the proposed amendments are:

Section 3.0: Definitions – December 1, 2020

Section 4.0: Permit Requirement & Administrative Procedures – December 1, 2020

Section 11.0, Part 1: Infectious waste – November 1, 2015

Section 11.0, Part 1 Appendix A: Initial Efficacy Test Procedures – Not amended since adoption in 1988.

None of the proposed amendments are pursuant to 29 Del.C. §10407.

6. LIKELY AFFECTED PUBLIC:

Those affected by any proposed regulatory amendments are those commercial generators, solid waste transporters, and treatment, storage, or disposal facilities that manage infectious waste within the State of Delaware.

7. PROPOSED SCHEDULE OF ACTIVITIES:

Complete proposed amendments: November 2021

Public workshop: January 2022

Publication in Register: February 2022

Public Hearing: March 2022

8. REVIEW COMMITTEE:

Bradley Berg, EH&S Specialist, Environmental Compliance, DuPont
Compliance and Permitting Section (CAPS) staff

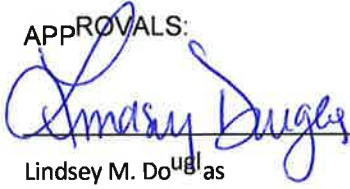
Robert Wright, Program Manager, Bayhealth Hospital

Sergio Huerta M.D., DNREC and DHSS Laboratory Director


9. RESPONSIBLE STAFF MEMBER (name, physical address, phone number and e-mail address):

Lindsey M. Douglas, Environmental Scientist IV
89 Kings Highway
Dover, DE 19901
Phone: 302-739-9403
Fax: 302-739-5060
Lindsey.Douglas@delaware.gov


10. APPROVALS:

 9.29.21

Lindsey M. Douglas Date
Responsible Staff Member

 09/29/2021

Timothy T. Ratsep Date
Director, Division of Waste and Hazardous
Substances

 10/20/21

Shawn M. Garvin Date
Secretary

September 2021