

Wisconsin's Medical Waste Rules

Publication WA801
Revised 2014



Waste & Materials Management
P.O. Box 7921
Madison, WI 53707-7921

This fact sheet summarizes the basic provisions of Wisconsin's medical waste rules. The state adopted the rules in 1994 to decrease the risk of injury to people who handle infectious waste and to help medical facilities to follow the state's recycling law.

Where are the rules? The medical waste rules are mostly in chapter NR 526. Definitions are in ch. NR 500. The fee schedule is in ch. NR 520 and rules for licensed storage or treatment facilities are in ch. NR 502. The DNR web page [Medical and infectious waste administrative codes and statutes](#) has links to these rules.

How do the rules affect waste generators? Generators include businesses, institutions and households. All generators must follow basic safety requirements. Households and individuals ("home generators") must follow the safety requirements for sharps only. All generators, except home generators, must keep records of the amount of infectious waste sent off-site for treatment, and if they generate 50 pounds or more per month, they must use manifests and submit annual reports.

How do the rules affect waste handlers? Waste handlers include anyone who handles, transports, stores, processes or disposes of infectious waste. All transporters must follow the safety requirements and must sign and pass on infectious waste manifests. Vehicles transporting 50 or more pounds per month of infectious waste must be licensed to haul infectious waste.

General provisions

How are "infectious waste" and "medical waste" defined? The definitions are:

Infectious waste is "solid waste which contains pathogens with sufficient virulence and quantity that exposure of a susceptible human or animal to the solid waste could cause the human or animal to contract an infectious disease." [s. 144.48 (1)(b), Wis. Stats.]

Medical waste means "infectious waste and other waste that contains or may be mixed with infectious waste." [s. 159.07 (7)(c)1.c., Wis. Stats.]

What kinds of items are considered to be infectious waste? Infectious wastes include:

- contaminated sharps, i.e., needles, syringes with needles attached, lancets, scalpel blades, broken glass vials, broken rigid plastic vials and laboratory slides;
- unused or disinfected hypodermic needles, scalpel blades, lancets and syringes with needles attached;

- bulk (drrippable, pourable) amounts of human blood and body fluids;
- human tissue;
- microbiological laboratory waste; and
- tissue, blood or body fluids from animals known to be infected with anthrax, brucellosis, psittacosis, Q fever, rabies or tuberculosis.

What items are not infectious waste? Items commonly thought to be infectious waste but which usually are not, include:

- items which are not saturated with blood, such as blood-spotted bandages, clothing;
- sanitary napkins;
- diapers;
- gloves and drapes;
- syringes and IV tubing without needles attached;
- tissue and blood for most animals (see previous question for the exceptions);
- animal manure and bedding; and
- waste glass.

Section NR 526.05 lists items that are and are not presumed to be infectious.

What else is required? NR 526 requires all infectious waste be kept separate from other waste, by separating it at the source. (See s. NR 526.06). And, according to s. NR 526.055, generators of trace chemotherapy waste must ensure that waste is separated, properly contained, and incinerated.

Infectious waste management

What are the safety requirements? NR 526 sets basic safety requirements for everyone who generates or handles infectious waste. People who administer their own drugs or receive health care at home must follow only the safety requirements for needles and other medical sharps.

Where are the safety requirements? Here are the citations for the safety requirements:

- For separating, containing and handling infectious waste, see ss. NR 526.06 through 526.08
- For storing and transferring infectious waste, see s. NR 526.09(4)
- For transporting and shipping infectious waste, see s. NR 526.10(3)
- For treating infectious waste, see ss. NR 526.11 and 526.12(4)
- For disposing of infectious waste, see s. NR 526.13

What are the administrative requirements? Home generators are exempt from all paperwork. All other generators who send 50 or more pounds per month off-site for treatment must use infectious waste manifests and submit infectious waste annual reports. Certain transporters need a special license for transporting infectious waste. Some sharps collection stations must register with DNR. Commercial storage and treatment facilities are licensed under ch. NR 502.

What are manifests and who has to use them? Infectious waste manifests are shipping papers which help track the transportation, treatment and disposal of infectious waste. Unlike hazardous waste manifests, copies are not sent to the DNR. Generators retain the original manifests and must

summarize them in an annual report to the DNR. Medical facilities and other non-home generators who send less than 50 lb/mo off site for treatment don't need to use the manifests, but they do need to keep records of how much waste is sent off-site.

Who has to submit infectious waste annual reports? Generators who have sent 50 pounds or more away for treatment in any one month of a calendar year must submit an annual report to DNR. In addition, hospitals, clinics and nursing homes may need to submit an annual report on their medical waste reduction activities. For more information, see the publication [Medical Waste Reduction and the Annual Report](#) (Pub WA802) and the [Instructions to the Infectious Waste Annual Report](#) (form 4400-177).

What are the exemptions? People who generate or manage small quantities of infectious waste may be exempt from administrative requirements such as licensing and paperwork, according to:

General exemptions	Section NR 526.04(1)
Storage and transfer licenses	Section NR 526.09(2)
Transportation licenses	Section NR 526.10(2)
Treatment licenses	Section NR 526.12(2)
Manifests and recordkeeping	Section NR 526.14(2)
Annual reports	Section NR 526.15(2)

There are also specific exemptions for home generators, sharps collection stations, emergency response, funeral directors, research, bloodmobiles and others in Section NR 526.04 (2) through (10).

What about sharps? Sharps must be incinerated OR must be disinfected and treated to render them non-infectious, broken and unable to be reused before they may be disposed of in a landfill. Home generators must package discarded sharps properly and manage them separately from other household wastes.

NR 526 enables hospitals, pharmacies, municipalities and others to collect sharps from people who generate small amounts of sharps, at or below cost to the users. These "sharps collection stations" must either be exempt by rule or must notify the DNR of their existence.

Medical waste reduction

Who must reduce medical waste? All generators must keep infectious waste separate from other wastes. Only hospitals, clinics and nursing homes ("medical facilities") must write and implement plans to reduce medical waste. Medical facilities generating less than 50 lb/mo are exempt from planning requirements but are encouraged to find ways to reduce wastes and use fewer disposable products.

What do medical facilities have to do? Medical facilities must first adopt a medical waste reduction policy, then write and implement a medical waste reduction plan.

The policy commits the facility to the general process of reducing waste, which is to:

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- Audit waste management practices
- Set goals for reducing waste
- Examine alternatives to using disposable items
- Prepare and implement a medical waste reduction plan
- Submit annual progress reports to the DNR
- Educate and train staff
- Evaluate the plan annually and update it every five years

The plan must describe the results of the waste audit, establish goals, and tell how the facility will manage and reduce medical waste, evaluate alternatives to disposable items, train staff and review progress (see s. NR 526.19, Wis. Adm. Code). The plan also must address other planning elements, such as costs and incentives, found in successful waste reduction programs of many kinds.

Who sets the goals for reducing medical waste? Each medical facility sets its own numerical goal for reducing waste. Those goals must address the general goals found in s. NR 526.19(3).

For more information

Access Wisconsin's medical waste rules at www.legis.state.wi.us/rsb/code/nr/nr526.html

Go to DNR's website at <http://dnr.wi.gov> and search for "healthcare waste" or "medical waste reduction."

For DNR publications, go to <http://dnr.wi.gov/publications/> and choose "Waste & materials management." In the publication search screen, you may search for the category "medical/infectious waste" or for a particular publication title or number, such as WA815.

Send an email to: DNRMedicalWaste@Wisconsin.gov or a letter to:

DNR Medical Waste Coordinator
Waste and Materials Management (WA/5)
PO Box 7921
Madison, WI 53707-7921

Call the Waste and Materials Management Program general number at (608) 266-2111 and ask to have your call redirected.

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