

Daniels Health Waste Acceptance Policy



The following is Daniels Health’s policy regarding the categorization, segregation, and packaging of waste streams under the Daniels Health waste management system. Daniels Health customers must adhere to this policy at all times. Failure to comply may result in the customer’s violation of applicable laws and regulations, Daniels Health’s violation of applicable laws and regulations, and/or endangerment to the health and safety of Daniels employees. For that reason, Daniels Health will charge a fee for non-compliance commensurate with the costs that Daniels Health incurs to remediate any violation of this policy.

Definitions of Regulated Medical Waste, Sharps Waste, and RCRA Hazardous Waste

Daniels primarily collects, transports, and disposes of regulated medical waste and sharps waste. Regulated medical waste (“RMW”) under the Daniels system is a broad term that encompasses a variety of biohazardous or infectious medical waste streams. RMW includes microbial cultures, tissue cultures, animal tissues or organs, animal carcasses, animal bedding, laboratory containers and slides that meet the definition of regulated medical waste under 29 CFR 1910.1030 or 49 CFR 173.134; non-regulated medical devices; infectious substances arising from the agents listed under 42 CFR 72.3; and discarded items which may have been contaminated by chemotherapeutic, cytotoxic, or antineoplastic drugs and/ or agents, provided that such items, including vials and syringes, must be “empty” as defined in applicable federal, state, county or municipal laws, regulations and guidelines. This also includes any medical treatment materials used on humans and animals for treatment or diagnosis.

Under the Daniels system, the definition of RMW specifically excludes any item which is defined as Sharps Waste. “Sharps Waste” encompasses any item that may be contaminated with a pathogen or become contaminated, and which is capable of cutting, penetrating or damaging the packaging or skin of a person. It also includes all sharps, hypodermic needles, syringes, scalpels, broken glass, culture slides, rigid plastic, wires, and items placed into a Sharpsmart Container.

RMW also does not include RCRA Hazardous waste. “RCRA Hazardous Waste” includes all hazardous waste described under 40 CFR Part 260. The term includes but is not limited to RCRA P and U listed waste, universal waste and characteristic waste. Such waste also includes: Bulk chemotherapy waste and chemotherapy waste that has an alcohol base that makes the mixture ignitable, such as Vepesid; and Chlorabucil, Cyclophosphamide, Daunomycin, Melphalan, Mitomycin C, Streptozotocin, and Uracil Mustard (which are listed RCRA Hazardous Wastes and must be managed as such).

Segregation and Packaging Responsibilities

As the waste generator, the customer is responsible for properly packaging and segregating waste to ensure cradle-to-grave disposal that complies with applicable laws and ensures the safety of Daniels employees. The customer must present waste for collection in packages or containers that are properly packaged and labelled. Packages and containers must be sealed to prevent leakage during transport and must satisfy all other requirements of 42 C.F.R. 173.197. Daniels reserves the right to refuse to pick up any incorrectly identified, packaged, or labelled containers and/or containers that are wet or leaking. The customer must also segregate waste into the containers appropriate for their disposal.

Customers shall only place Sharps Waste in designated sharps containers. Moreover, the customer must segregate certain RMW waste streams that must be processed by incineration into their own containers. Waste requiring

segregation for this alternative treatment specifically includes trace chemotherapy waste, pathological waste, non-hazardous pharmaceutical waste:

- ▶ Trace Chemotherapy Waste: includes (1) items contaminated with residual (less than 3% of the original contents by weight) amounts of chemotherapy drugs, such as empty drug bottles, drug dispensing devices or IV bags and Tubing; and (2) Gloves, gowns, masks, goggles and other disposable items used when administering chemotherapy drugs.
- ▶ Pathological Waste: tissues, organs, body parts (excluding head and torso) and body fluids that are removed during surgery, autopsy, or other medical procedures, and specimens of body fluids and their containers.
- ▶ Non-Hazardous Pharmaceutical Waste: pharmaceutical waste not falling under RCRA Hazardous Waste.

Where Daniels is servicing RCRA Hazardous Waste, that waste must also be segregated and packaged in separate containers. For the sake of clarity, no RCRA Hazardous Waste, including pharmaceutical waste that is considered RCRA Hazardous Waste, shall be placed in Daniels purple-top containers for non-hazardous pharmaceutical waste. If Customer places RCRA Hazardous Waste in a Daniels purple-top container, then Daniels will assess an appropriate Non-Conforming Waste Fee and any other fee necessary to compensate Daniels for any costs or damages arising from Customer's failure to properly segregate waste.

Non-Conforming Waste

Finally, there are categories of waste that Customers should not provide to Daniels ("Non-Conforming Waste"). The Customer cannot provide Daniels with any waste that does not fall within the categories described above. Daniels also cannot under any circumstances accept 1) human torsos, fetuses/product of conception and cadavers, 2) bulk chemotherapy waste, 3) DEA controlled substances, and 4) unless Daniels is servicing RCRA Hazardous Waste, any other hazardous wastes or substances as defined in any applicable federal, state, county or municipal laws, regulations and guidelines, including: radioactive, reactive, or ignitable wastes; batteries; mercury; compressed gas cylinders and canisters; inhalers; aerosol cans; lead; heavy metals; and bulk liquids.

Weight Limitations

Waste should also not be provided in collectors, bins, or boxes that exceed weights deemed to be unsafe for reasonable handling. Relying on OSHA guidelines, Daniels has set those weight limits as follows: 1) 40 pounds for all Daniels Sharps, Pharm, and Chemo containers, and for all 64 Series collectors; 2) 50 pounds for 28 gallon bins, 38 gallon bins, and 43 gallon bins, and all disposable boxes; 3) 175 pounds for 96 gallon bins. Daniels's measurements will be the gross weight of each collector, i.e. the weight of both the waste in the collector and the collector itself.

Daniels's Remedies

Due to the legal, logistic, and safety challenges that any violation of this policy may present, Daniels can exercise any of the following remedies upon customer's failure to properly categorize, segregate, or package waste:

- ▶ Refuse to pick up any containers or boxes that are improperly packaged or labelled
- ▶ Charge an appropriate non-compliance fee after picking up an improperly packaged or labelled container or box
- ▶ Refuse to pick up any containers or boxes with Non-Conforming Waste
- ▶ Return any containers or boxes with Non-Conforming Waste if discovered after pick up
- ▶ Charge an appropriate non-compliance fee to allow Daniels to recoup costs for returning Non-Conforming Waste; for disposing of Non-Conforming Waste; for undertaking waste analyses due to Non-Conforming Waste; for repairing, replacing, decontaminating, or cleaning equipment due to Non-Conforming Waste; and to recoup for any other expenditures made due to the provision of Non-Conforming Waste (e.g. costs arising from fire in an autoclave)
- ▶ Charging an overweight fee of \$2.50 per pound of waste in excess of the waste thresholds described above ("Overweight Fee").