

**SFA**

BILL ANALYSIS

**RECEIVED**

Senate Fiscal Agency

• Lansing, Michigan 48909 •

(517) 373-5383

**APR 17 1989**

Mich. State Law Library

Senate Bill 74

Sponsor: Senator Connie Binsfeld

Committee: Health Policy

Date Completed: 3-14-89

SUMMARY OF SENATE BILL 74 as introduced 2-1-89:

The bill would amend the Air Pollution Act to require a permit issued by the Air Pollution Control Commission for the operation of a facility that incinerates biomedical waste, beginning one year after the bill's effective date, and to require the Commission to promulgate rules to regulate facilities that incinerate biomedical wastes.

The Department could issue an operating permit only if a facility were in compliance with the Act and rules promulgated under it. A permit would be valid for the period for which it was issued but no longer than five years. Upon expiration, a permit could be renewed. Within two years after the bill took effect, the Commission would have to review all operating permits issued for facilities that incinerate biomedical waste.

Rules promulgated by the Commission for biomedical waste incinerators would have to cover incinerator design and operation, ash handling and quality, stack design, waste handling procedures, air pollution control requirements, performance monitoring and testing, operator qualifications, record-keeping and reporting requirements, and inspection and maintenance.

"Biomedical wastes" would mean "solid, liquid, or gaseous wastes that contain pathogens with sufficient virulence and quantity such that exposure to the waste by a susceptible individual could result in an infectious disease". Biomedical wastes would include but not be limited to the following:

- Wastes contaminated by an individual who is isolated due to communicable disease, as provided in the U.S. Centers for Disease Control Guidelines for Isolation Precautions in Hospital.
- Cultures and stocks of infectious agents, including specimen cultures collected from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biologicals, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, or mix cultures.
- Waste human blood and waste blood products such as serum, plasma, and other

blood components.

- "Infectious waste", "pathological waste", and "sharps", as defined in Senate Bill 69.
- Objects used in patient care that have come into contact with infectious agents.
- Contaminated carcasses, body parts, and bedding of animals that were exposed to pathogens in research, in the production of biologicals, or in the in vivo testing of pharmaceuticals.
- Other wastes determined to be infectious by the facility, which would have to be set forth in a written policy.

The bill is tie-barred to Senate Bill 69, which would prescribe procedures for private health care practitioners, clinical laboratories, and health facilities and agencies to follow in handling, decontaminating, and disposing of infectious waste.

Proposed MCL 336.5a

Legislative Analyst: L. Arasim

#### FISCAL IMPACT

The bill would result in an indeterminate increased cost to State government by expanding the permitting and inspection of waste incineration facilities.

According to the Department of Natural Resources (DNR), there are between 120 and 150 hospitals that incinerate their own waste. To comply with the bill, these facilities could need to upgrade their incineration operations to include more complex technology. The DNR estimates that this would in turn require additional staff and more sophisticated equipment to monitor.

Fiscal Analyst: G. Cutler

#### S8990\S74SA

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.