



October 27, 2022

NYSDOH Ebola-Associated Waste Management Guidance

On October 6, 2022, the Centers for Disease Control and Prevention (CDC) issued a Health Alert Network (HAN) Health Advisory about a recently confirmed outbreak of Ebola virus disease (EVD) in Uganda caused by Sudan virus (species Sudan ebolavirus). See <https://emergency.cdc.gov/han/2022/han00477.asp>.

The New York State Department of Health (NYSDOH) is providing this guidance to update hospitals and clinical laboratories located in New York State (NYS) on the handling of regulated medical waste (RMW) generated from the care of suspected or confirmed EVD patients.

Oversight of Regulated Medical Waste

The CDC has general guidance on [Ebola-Associated Waste Management](#). However, facilities need to be aware that Ebola-associated RMW treatment, disposal and transport is subject to both state and federal regulations.

- NYSDOH regulates the handling and treatment of RMW at hospitals and clinical laboratories. Requirements for RMW are described in [Part 70](#) of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York (10 NYCRR Part 70). These regulations apply to hospitals, residential health care facilities, diagnostic and treatment centers, and clinical laboratories. Among other requirements, these facilities must hold an approval from NYSDOH to treat RMW on-site.
- The New York State Department of Environmental Conservation (NYSDEC) regulates the transport of treated and untreated RMW and commercial treatment and disposal of RMW in NYS.
- The transport of untreated RMW is subject to United States Department of Transportation (USDOT) regulations.

Packaging and Transport of Untreated Ebola RMW for Treatment Off-Site

If a hospital or clinical laboratory will be transporting RMW generated from the care of suspected or confirmed EVD patients for off-site treatment, the waste must be packaged in accordance with USDOT regulations, and the waste hauler must hold appropriate approvals from NYSDEC and USDOT.

RMW contaminated with Ebola virus, or suspected to be contaminated with Ebola virus, is a Category A infectious substance regulated as a hazardous material under the USDOT Hazardous Materials Regulations (HMR; 49 CFR, Parts 171-180). USDOT issued an emergency special permit authorizing several RMW transporters to transport EVD RMW. If your facility will be sending RMW generated from the care of suspected or confirmed EVD patients off-site for treatment, please take note of packaging requirements described in special permit

[DOT-SP 16279](#). Additional information on packaging can also be found in DOT's [Planning Guidance for Handling Category A Solid Waste](#).

Your waste management plan, which describes policies and procedures specific to the management of regulated medical waste generated on-site, should be modified to reflect the handling of EVD RMW and USDOT special permit requirements. As described in 10 NYCRR 70-2.1, Waste Management Plan, each facility shall develop, document and implement policies and procedures specific to the management of regulated medical waste generated on-site and/or treated at the facility. Such policies and procedures shall minimally include, but not be limited to: a description of the types, and method(s) for treatment and disposal of regulated medical waste; procedures for safe handling and transport of the waste within the facility from the point of generation or intake to the point of storage and/or treatment; a description of storage areas, including, as applicable, patient care areas, which details the location, ventilation and capacity of each storage area, and the length of time waste is to be retained in each area; and the titles and contact information for persons responsible for monitoring compliance.

Facilities need to ensure that their RMW haulers hold the appropriate approvals from USDOT and NYSDEC to transport untreated EVD RMW. Waste haulers transporting untreated EVD RMW must obtain authorization from NYSDEC to transport RMW under a Part 364 Waste Transporter permit with a special Viral Hemorrhagic Fever certification and hold a special permit from USDOT. Additional information can be found in NYSDEC's [New York State Viral Hemorrhagic Fever Waste Disposal Fact Sheet](#) and information on companies that have been granted party status to transport waste under the provisions of DOT-SP 16279 can be found on the [USDOT Infectious Substance Special Permits web site](#).

Treatment of Ebola RMW On-Site

10 NYCRR Part 70 includes requirements for autoclaves and alternative treatment systems that are used to treat RMW. If a facility subject to Part 70 will be treating EVD RMW on-site using an autoclave or an alternative treatment system, approval needs to be obtained from NYSDOH prior to treating any RMW. Prior to approval for treatment, facilities must have a written agreement with a disposal facility that is willing to accept the treated EVD waste.

[Subpart 70-3](#) of 10 NYCRR Part 70 describes requirements for autoclaves used to treat RMW. A hospital or clinical laboratory using an autoclave to treat EVD RMW must ensure that the autoclave is properly validated for the types of EVD RMW and its packaging (e.g., double bagged or rigid container) that will be treated and have a NYSDOH approved operation plan designed to promote safe and effective operation of the autoclave. Additional information on autoclave operation plans can be found on the [Wadsworth Center Regulated Medical Waste Program web site](#).

The CDC Ebola web site includes [Information on the Survivability of the Ebola Virus in Medical Waste](#) and includes suggested autoclave operating parameters of 121°C (250°F) for at least thirty (30) minutes for inactivating Ebola virus. Please be aware that these CDC-suggested autoclave operating parameters are less stringent than what is required in New York State. [Section 70-3.3](#) of Subpart 70-3 describes the generally accepted and alternative operating parameters for autoclaves used to treat RMW in NYS. Note: The following operational parameters may vary with the types of waste and its packaging.

For a gravity-feed autoclave, operating parameters are:

- at least sixty (60) minutes residence time at a temperature of at least one hundred twenty-one (121) degrees Celsius and a pressure of fifteen pounds per square inch (15 psig); OR
- at least forty-five (45) minutes residence time at a temperature of at least one hundred thirty-five (135) degrees Celsius and a pressure of thirty-one pounds per square inch (31 psig).

For a vacuum-displacement autoclave, operating parameters are:

- at least forty-five (45) minutes residence time at a temperature of at least one hundred twenty-one (121) degrees Celsius and a pressure of fifteen pounds per square inch (15 psig); OR
- at least thirty (30) minutes residence time at a temperature of at least one hundred thirty-five (135) degrees Celsius and a pressure of thirty-one pounds per square inch (31 psig).

If a facility operates an autoclave using operating parameters other than those described in Section 70-3.3 of Subpart 70-3 or uses another method to treat RMW, the treatment method must be approved by NYSDOH as an alternative treatment technology. Each facility must be approved by NYSDOH to use an alternative treatment technology before treating any RMW. [Subpart 70-5](#) of 10 NYCRR Part 70 describes the requirements for the approval of alternative treatment technologies for use in New York State. Additional information on obtaining approval of an alternative treatment technology can be found on the [Wadsworth Center Regulated Medical Waste Program web site](#).

For additional information regarding this document, please contact NYSDOH's Regulated Medical Waste Program by email at rmwp@health.ny.gov.

Useful Documents

New York State Department of Environmental Conservation New York State Ebola Waste Disposal Fact Sheet:

<http://www.dec.ny.gov/chemical/99119.html>

Center for Disease Control Ebola-Associated Waste Management:

<https://www.cdc.gov/vhf/ebola/clinicians/cleaning/waste-management.html>

U.S. Department of Transportation Planning Guidance for Handling Category A Solid Waste:

<https://www.phmsa.dot.gov/transporting-infectious-substances/planning-guidance-handling-category-solid-waste>

U.S. Department of Transportation Infectious Substance Special Permits

<https://www.phmsa.dot.gov/transporting-infectious-substances/infectious-substance-special-permits>

NYSDOH Wadsworth Center Regulated Medical Waste Program

<https://www.wadsworth.org/regulatory/rmwp>

Part 70 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York (10 NYCRR Part 70)

<https://regs.health.ny.gov/content/part-70-regulated-medical-waste>