§ 27-1513. Requirements for regulated medical waste treatment, storage and disposal facility.

1. Any person who operates a facility for the treatment, storage or disposal of regulated medical waste shall have a valid and appropriate solid waste management facility permit issued by the department; except that a solid waste management facility permit shall not be required for operation of an on-site facility that is operated by a health care facility licensed pursuant to the public health law that is utilized to treat, store or dispose of regulated medical waste of the health care facility or of other generators of regulated medical waste, pursuant to written agreements with or among such other generators that shall be filed with the department of health and the department.

2. The operator of any facility used for the treatment, storage or disposal of regulated medical waste not in a category specified in subdivision one of this section shall have and shall adhere to an operation plan for the handling and disposal of regulated medical waste approved by the department. The operation plan shall include the following:

a. A method of receiving wastes which ensures that regulated medical wastes are handled separately from other wastes until treatment or disposal is accomplished and which prevents unauthorized persons from having access to or contact with the waste.

b. A method of unloading and processing of regulated medical wastes which limits the number of persons handling the wastes and minimizes the possibility of exposure of employees and the public using or visiting the facility to regulated medical waste.

c. A method of decontaminating emptied reusable regulated medical waste containers, transport vehicles or facility equipment which are known or believed to be contaminated with regulated medical waste.

d. The provision and required use of gloves and other protective clothing as shall be required by the department.

e. The means of decontamination of any person having had bodily contact with regulated medical waste while transporting the waste to the treatment or disposal site or while handling or disposing of the waste at the site.

f. A quantification of the maximum amount of regulated medical waste to be treated, stored, or disposed of per month.

3. A new or revised operation plan for treatment, storage or disposal of regulated medical waste shall be prepared whenever there is an increase of more than twenty-five percent in the maximum quantity of regulated medical waste receiving treatment, storage or disposal per month by the facility or when changes are otherwise made in an existing operation plan.

4. Approval for acceptance of regulated medical waste at a treatment, storage or disposal facility may be withdrawn by the department for noncompliance with the operation plan.

5. As a condition of approval for such permit, any person who operates a facility for the treatment, storage and disposal of regulated medical waste shall provide:

(a) proof of liability insurance or other form of financial security deemed sufficient by the commissioner to meet all responsibilities in case of release of such waste causing damage; and

(b) certification that such activities conform with existing local zoning laws or ordinances.