

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1045\*  
Committee Substitute Favorable 5/10/89

Short Title: Infectious Waste Control.

(Public)

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Sponsors:

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Referred to:

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April 6, 1989

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH AN INFECTIOUS WASTE STUDY COMMISSION TO  
3       STUDY THE NEED FOR THE STATE TO REGULATE BIOMEDICAL AND  
4       INFECTIOUS WASTE.

5               Whereas, the biomedical community generates waste contaminated with  
6 pathogenic organisms capable of transmitting disease to health care and waste  
7 management workers who may be exposed to this material; and

8               Whereas, improperly managed infectious waste poses a potential threat to  
9 public health when untreated or when incompletely treated and discarded as general  
10 solid waste; and

11              Whereas, infectious waste also contributes to environmental degradation  
12 through improper treatment and disposal technologies; and

13              Whereas, infectious waste constitutes an environmental, health, and aesthetic  
14 problem that may not be adequately controlled by existing State regulation; and

15              Whereas, careful management of the infectious waste stream is necessary and  
16 desirable to protect the public and individuals who may be exposed to potential  
17 pathogens and to minimize environmental degradation caused by inadequate treatment  
18 or inappropriate disposal methods; Now, therefore,

19 The General Assembly of North Carolina enacts:

20              Section 1. The Infectious Waste Study Commission is created. The  
21 Commission shall study issues concerning the need to regulate infectious waste  
22 including the need for legislation to:

- 1 (1) Require generators of infectious waste to register with the Department  
2 of Human Resources;
- 3 (2) Develop a manifest based tracking system designed to require persons  
4 who generate, transport, store, treat, or dispose of infectious waste to  
5 keep records of the infectious waste;
- 6 (3) Develop standards to control the storage, transportation, treatment, and  
7 disposal of infectious waste;
- 8 (4) Require that persons who transport infectious waste obtain a permit  
9 from the Department of Human Resources after meeting standards  
10 developed to insure that only qualified personnel and vehicles are used  
11 to transport infectious waste;
- 12 (5) Require that persons who operate infectious waste treatment and  
13 disposal facilities obtain a permit from the Department of Human  
14 Resources after meeting standards developed to insure that only  
15 qualified personnel, equipment, and facilities are allowed to treat and  
16 dispose of infectious waste; and
- 17 (6) Make other requirements as necessary to protect the public from the  
18 potential health threat of improperly managed infectious waste.

19 Sec. 2. The Commission shall consist of 12 members. The Speaker of the  
20 House of Representatives shall appoint three members. The President of the Senate  
21 shall appoint three members. The President Pro Tempore of the Senate shall appoint  
22 three members. The Governor shall appoint three members, one of whom shall be an  
23 employee of the Department of Human Resources whose duties include solid and  
24 infectious waste management and disposal. Initial appointments shall be made within  
25 30 days following adjournment of the 1989 Session of the General Assembly.  
26 Vacancies shall be filled by the official who made the initial appointment using the  
27 same criteria as provided by this section. The President Pro Tempore of the Senate and  
28 the Speaker of the House of Representatives shall each appoint a cochair of the  
29 Commission from their appointees. The cochairs shall call the first meeting and preside  
30 at alternate meetings.

31 Sec. 3. Commission members shall receive subsistence and travel expenses  
32 as provided in G.S. 120-3.1, 138-5, and 138-6, as applicable.

33 Sec. 4. The Commission may solicit, employ, or contract for professional,  
34 technical, or clerical assistance, and may purchase or contract for the materials and  
35 services it needs. Subject to the approval of the Legislative Services Commission, the  
36 professional and clerical staff of the Legislative Services Office shall be available to the  
37 Commission, and the Commission may meet in the Legislative Building or the  
38 Legislative Office Building.

39 Sec. 5. The Commission shall submit a written report of its findings and  
40 recommendations to the 1990 General Assembly. The Commission shall terminate  
41 upon the filing of the report.

42 Sec. 6. There is appropriated from the General Fund to the General  
43 Assembly the sum of fifteen thousand dollars (\$15,000) for fiscal year 1989-90 to  
44 implement this act.

1           Sec. 7. This act is effective upon ratification.