

DAVIS COUNTY BOARD OF HEALTH

INFECTIOUS WASTE REGULATION



Davis

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1.0 PURPOSE

The purpose of this regulation is to preserve, promote and protect the public health, safety and general welfare of ~~the~~ residents and visitors in ~~of~~ Davis County by establishing sanitation minimum controls and standards for the safe ~~storage,~~ transportation and treatment of infectious waste.

2.0 ~~2.0~~ SCOPE

This regulation is applicable to all businesses within all incorporated and unincorporated areas of Davis County.

~~This regulation applies to any facility or individual that generates more than 25 pounds per month or hauls or treats more than 50 pounds per month.~~

3.0 AUTHORITY AND APPLICABLE LAWS

This regulation is adopted under the authority of the Davis County Board of ~~health in accordance with Title 26-A Chapter 121 of the Utah Code Health under the authority of~~ in accordance with Utah Code Annotated (UCA) Section 26A-1-121

The Davis County Board of Health hereby adopts by reference and incorporates herein the following provisions of the UCA and the Utah Administrative Code (UAC), subject to the additions, clarifications, exceptions, and modifications set forth in this regulation:

UCA: The Solid and Hazardous Waste Act as set forth in Title 19-6-1021, et. seq.; and

The provisions of the UCA:
UCA 19-6-102 Definitions

The provisions of the Utah Administrative Code (UAC):UAC:

Chapter R315-301 Solid Waste Authority, Definitions, and General Requirements;

Chapter R315-306 Incinerator Standards; and
Chapter R-315-316 Infectious Waste Requirements

are hereby adopted incorporated by reference and incorporated herein subject to the additions, clarifications, exceptions, and modifications set forth in this regulation.

4.0 DEFINITIONS

— For the purposes of these regulations the following phrases, terms, and words shall have the meanings given in this section:

4.1 — AESTHETIC AFFRONT: A condition which one or more of the human senses is adversely impacted.

4.2 — ASH: The solid residue and any entrained liquids resulting from the combustion of infectious wastes, including bottom ash, boiler ash, fly ash, and the solid residue from any air pollution control device attendant to an infectious waste treatment facility.

4.2 — AUTHORIZED PERSON: The individual responsible for the overall operation of an Infectious Waste Management facility, such as an owner, president, C.E.O., director, etc., that has the authority to sign for the organization and thus commit the organization.

4.3 — AUTOCLAVE (also known as a steam sterilizer or steam retort): A device utilizing steam within a pressure vessel at temperatures sufficient to kill infectious agents in infectious wastes. To autoclave infectious wastes is the act of using an autoclave to treat infectious waste.

4.4 — BOARD: The Davis County Board of Health.

4.5 — COLLECTION VEHICLE: A vehicle so designed, constructed, and operated to meet the requirements of these Regulations in which infectious waste is placed and transported. Any vehicle, tank, trailer, or combination thereof, which provides commercial collection, transportation, storage or disposal of any wastes.

~~4.14.7~~ ~~CONTAINMENT: The act of placing generated infectious waste in a container as required in Section 5.12 of these Regulations prior to storage and transport.~~

~~4.8~~ ~~CONTAMINATION: The actual contact of fluids, environmental surfaces, and/or a person, with infectious wastes and/or with fluids and/or objects that have contacted infectious wastes or the likelihood that the above has occurred.~~

~~4.9~~ ~~COUNTY: All areas and entities including cities and districts, located geographically within the boundaries of Davis County, Utah.~~

~~4.10~~ ~~CREMATION: To reduce human bodies, fetal remains, or human body parts to ash by burning in a combustion device designed and operated for that purpose.~~

~~CONTAMINATION: The actual contact of fluids, environmental surfaces, and/or an individual person with infectious wastes and/or with fluids and/or objects that have contacted infectious waste or the likelihood that the above has occurred.~~

~~4.11~~ ~~2~~ ~~DISINFECTION, DISINFECTED: A chemical or physical process that kills organisms that cause infectious disease.~~

4.13

~~DIVISION~~DEPARTMENT: The Davis County Health Department.

~~4.6~~ ~~means the Environmental Health and Laboratory Division of the Davis County Health Department.~~

4.4

~~4.7~~ ~~EMERGENCY: An occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which may result in a release of untreated infectious wastes into the environment potentiating a threat to health and/or the environment.~~

~~4.8~~ ~~GENERATOR: Includes, but is not limited to, all of the following:~~

~~4.14.1~~ ~~Medical and dental offices, clinics, hospitals, long term care facilities, surgery centers, and laboratories.~~

~~4.14.2~~ ~~Veterinary offices, clinics, and hospitals.~~

~~4.14.3 Pet shops.~~

~~4.15 HAZARDOUS WASTE: Those waste materials or substances identified by federal, state and/or local standards as hazardous wastes, and/or any waste that in handling, storing, treating transporting, and/or disposal is deemed by the Division to be dangerous.~~

~~4.5 GENERATOR: Any person who produces infectious waste.~~

~~as defined in UCA 19-6-102.4.26~~ INFECTIOUS WASTE COLLECTION VEHICLE: Any vehicle, tank, trailer, or combination thereof, which provides commercial collection, transportation, storage or disposal of infectious wastes.

~~4.16 INCINERATION: Controlled combustion in an approved incinerator, in which the purpose is to thermally break down infectious wastes to an ash that contains little or no combustible material and in which no infectious agents have survived.~~

~~4.17 INCINERATOR: An approved, enclosed combustion device utilizing multiple combustion chambers, controlled combustion air, and supplemental fuel used to carry out the process of incineration.~~

~~4.18 INFECTIOUS WASTE: Any of the following:~~

~~4.18.1 Laboratory waste, including but not limited to, human or animal specimen cultures from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, bio-engineering wastes, wastes from the production of bacteria, viruses, or the use of spores, discarded live and attenuated vaccines, culture dishes and devices used to transfer, inoculate, and mix cultures.~~

~~4.18.2 Waste containing any microbiologic specimens sent to a laboratory for analysis.~~

~~4.18.3 Human tissues and/or anatomical parts.~~

~~4.18.4 Animal tissues, fluids and/or anatomical parts and/or whole animals suspected by a physician, dentist, veterinarian, or health official of being infected and or contaminated with infectious agents known to be contagious to humans.~~

~~4.18.5 Waste, which contains fluid blood, fluid blood products, containers or equipment containing blood from humans.~~

~~4.18.6 Waste, which contains fluid blood, fluid blood products, containers or equipment containing blood from animals known or suspected of being infected with a disease which is communicable to humans.~~

~~4.18.7 Waste containing discarded materials contaminated with excretion, exudate, or secretions from humans known or suspected of being infected with a disease which is communicable to humans.~~

~~4.18.8 All discarded sharps.~~

~~4.18.9 Any other waste a generator designates as infectious waste.~~

~~4.18.10 Any other waste mixed, stored and/or transported with infectious wastes.~~

~~4.19~~37 ~~-~~ **INFECTIOUS WASTE MANAGEMENT TREATMENT MANAGEMENT FACILITY:** Includes any location, building, storage facility, enclosure, vehicle, incinerator, autoclave, or landfill, involved in the process of storage, transportation, or treatment Treatment of infectious waste (excluding recognized cemeteries and crematoriums).

~~4.20~~ ~~INFECTIOUS WASTE TREATMENT FACILITY:~~ Includes but is not limited to any place under the provisions of these Regulations where infectious wastes are processed to make them no longer capable of transmitting infectious agents. (Excluding recognized cemeteries and crematoriums.)

~~4.21~~ ~~INTERMENTS:~~ Burial in a recognized, active, cemetery. A facility that renders infectious waste non-infectious through an approved treatment or disposal method.

~~4.22~~ ~~LOWER FLAMMABILITY LIMIT (LFL):~~ Given as a percent of the lower level where a flammable gas or vapor and available oxygen are concentrated enough that an ignition source will ignite the mixture.

~~4.11~~ ~~4.23~~48 ~~NUISANCE:~~ Anything which is or has considerable potential to be injurious to human health or offensive to the senses; interferes with the comfortable enjoyment of life or property; and affects a community, neighborhood, or any considerable number of persons. (Although the extent of annoyance or damage inflicted upon individual persons may be unequal.) Any condition or hazard or the source thereof, deleterious or detrimental to the health, safety, or welfare of any person Person or property.

~~4.12~~ ~~4.59~~ ~~OPERATOR:~~ The person at an infectious waste management facility in immediate control of the facility and whose responsibility it is to conduct and/or oversee the conduct of the functions of the facility.

~~4.13~~ **OWNER:** The person or persons Persons who have primary financial and legal interest in an infectious Infectious wWaste mManagement fFacility.

~~4.14~~ ~~4.610~~ **PERSON:** An individual; trust; firm; joint stock company; company;

~~corporation, including a government corporation; partnership; association; federal, state, or local government entity; or any other legal entity to the extent permitted by law.~~

Any individual, firm, corporation and its officers, association, partnership, cooperative, trustee, executor of an estate, governmental agency or any other legal entity recognized by law, in the singular or plural.

~~4.15 — SALVAGE: The selection and removal of reusable materials from waste.~~

~~4.28 — SHARPS: Any device having acute ridged corners, edges, or protuberances capable of cutting or piercing; including, but not limited to all of the following:~~

~~4.28.1 Hypodermic needles, syringes, blades, and needles with attached tubing.~~

~~4.28.2 Glass items, such as pasteurs, pipettes, broken glass and blood vials contaminated with infectious wastes.~~

~~4.29 — STORAGE: means when conducted in conformity to the provisions of these Regulations, placing of containers of infectious waste in an enclosure or refrigeration facility awaiting collection, transport, and/or treatment.~~

~~4.15 — TRANSPORTER: A person holding a permit issued by the Division who collects and conveys infectious waste to an Infectious Waste Treatment Facility in a vehicle.~~

~~4.11 — TREAT,~~

~~4.16 — TREATMENT, TREATED: The processes used to destroy infectious agents in infectious wastes such as incineration, autoclaving, or other Division-Department approved methods.~~

5.0 ~~5.0~~ — REGULATION

5.1 — ~~Right of Entry~~

A representative of the ~~Division~~Department shall be allowed access to the ~~regulated vehicles and premises of an in-~~Infectious Waste ~~Treatment~~Management ~~Management~~Facility and Infectious Waste ~~Treatment Facility~~Collection Vehicle upon providing proper identification.

5.2

Operating Permits

A Person may not operate an Infectious Waste Management Facility in the county or an Infectious Waste Collection Vehicle without a valid operating permit issued by the Division department.

5.2.1 Change of Ownership

Any time that an Infectious Waste Management Facility changes ownership, the new Owner shall obtain an operating permit.

5.2.2 Renewal

Operating permits must be renewed within 30 days of expiration.

5.2.2.1 A late fee may be assessed every 30 days.

5.2.3 _____

Validity

_____ An operating permits shall be valid for one calendar year.

_____ Operating permits are not transferable.

_____ Renewal

_____ Operating permits must be renewed every year.

5.2 PERMITS: On compliance with these Regulations, other applicable law, upon receipt of a permit application signed by the authorized person, and payment of fees, infectious waste management facilities shall be issued a permit to operate by the Division.

5.2.1 Issuance of Permits: Permits shall be valid from January 1st through December 31st of each year. All permits will become void at midnight on December 31st of the year in which they were issued.

5.2.1.1 Permits shall be renewed upon continued compliance with these Regulations; other applicable law, upon receipt of a permit renewal application signed by the authorized person, and on payment of fees.

5.2.1.2 Permits themselves remain the property of the Division, only their use and the license they provide is tendered.

5.2.1.3 Permits issued under the provisions of these Regulations are not

transferable.

~~5.2.1.4 Permit fees shall be established by the Board and are found in Section 8 of these Regulations.~~

~~5.2.2 Suspension of Permits: Permits issued by the Division under the provisions of these Regulations may be suspended by the Division for noncompliance with these Regulations and/or other applicable law.~~

~~5.2.2.1 Persons requesting reinstatement of suspended permits shall provide the Division with a written request signed by the authorized person, which includes a listing of the actions taken to rectify the causes of the permit suspension.~~

~~5.2.2.2 Suspended permits shall be reinstated within five (5) days if upon inspection and investigation of the formerly permitted facility, the Division finds the facility to be in compliance with these Regulations and other applicable law.~~

~~5.2.3 Revocation of Permits: Permits issued by the Division under the provisions of these Regulations may be revoked by the Division for repeated noncompliance of these Regulations and other applicable law which cause repeated permit suspensions. Permits may also be revoked for blatant, severe disregard of these Regulations, interfering with or assaulting Division employees in performance of their lawful duties, and/or recklessly endangering the health and/or safety of the public, employees, and/or users of a permitted facility.~~

~~5.2.3.1 Revocation of a permit must be confirmed by the Board within thirty (30) days following the revocation by the Division.~~

~~5.2.3.2 Revoked permits shall only be reinstated by an action of the Board. Persons aggrieved by actions or inaction of the Board may appeal to a Court of Record.~~

5.14.6 VEHICLE PERMITS

~~No Infectious Waste Management Facility shall begin operation without first having been inspected, approved and permitted by the Division.~~

Collection Vehicle Permits

~~A Person shall not operate a Collection Vehicle in the County without a valid permit issued by the Division.~~

5.2.4

Exceemptions

~~5.14.6.1 Any vehicle used for the collection and/or transport of infectious waste shall not operate within the county unless the owner obtains a permit for the vehicle under the provisions of these Regulations.~~

5.14.6.2 — Infectious waste collection vehicle permits are issued by the Division in pairs, one to be affixed in a conspicuous location on each side of the vehicle.

5.14.6.3 — Permits are issued to the operator for a specific vehicle and must be affixed to that vehicle. They are not transferable between vehicles or to successors.

5.14.6.4 — Persons ~~A Generator~~ who transports infectious wastes from their own point of generation ~~production~~ and less than ~~530~~30 pounds at a time are not required to obtain a ~~Collection V~~ vehicle permit from the Division. ~~This exceemption does not relieve the Person from compliance with any other requirement of this regulation per month.~~ ~~t~~, but must operate the vehicle used for transport in compliance with all other applicable parts of these Regulations, including but not limited to at least an annual inspection of the vehicle by the Division. In such cases, the Division shall charge an inspection fee which is fifty percent (50%) of the vehicle permit fee.

5.3

GENERAL SANITATIONGeneral SanitationInfectious Waste Treatment Facility

:

5.34 Infectious Waste Collection Vehicle

5.3.1 Infectious Waste Management Facility

5.3.1.1 Individual In Charge

There must be an individual in charge that is authorized to represent the Infectious Waste Management Facility to Department inspectors.

5.3.1.2 Prevention of Public Health Hazards

5.1 — ~~Allny p~~Persons engaged in the generation ~~production~~, collection, transportation, treatment, and disposal of infectious wastes shall ~~pr~~event the creation of a Nuisance, unsanitary condition, or environmental or public health hazard.

5.3.1.3 Documentation

An Infectious Waste Management Facility shall not accept or Treat any infectious waste unless it is properly documented.

5.3.1.3.1 Management Plans and Written Logs

5.3.1.3.1.1 Available Upon Request

Management plans, as defined in UAC Chapter R315-316-2, and written logs, as defined in

~~UAC Chapter R315-316-5, shall be made available at the request of the Department.~~

~~5.3.1.3.1.2 Retention Period~~

~~Written logs must be retained for a period of three (3) years.~~

~~5.3.1.4 Designation as Infectious Waste~~

~~All materials placed for treatment and storage and/or treated in an infectious waste treatment facility are deemed to be infectious waste.~~

~~5.3.1.5 Trash Chutes~~

~~5.1.1 Protect the public health, safety, and welfare;~~

~~5.1.2 Prevent the creation of a nuisance, unsanitary condition, aesthetic affront, or environmental or public health hazard;~~

~~5.1.3 Conform to the requirements of these Regulations;~~

~~5.1.4 Conform to all applicable federal, state, and local laws pertaining to air quality, noise control, water pollution control, radiation control, hazardous waste control, solid waste control, wastewater pretreatment, zoning, etc.;~~

~~5.1.5 Obtain all applicable licenses and permits;~~

~~5.1.6 Keep and make available to the Division applicable records and reports;~~

~~5.1.7 Not falsify any record or report;~~

~~5.1.8 Not salvage materials from infectious wastes without permission from the Division;~~

~~5.1.9 Not allow the propagation of insects or rodents, or conditions which would allow for the transmission of disease.~~

~~5.1.10 Not fail to pay any applicable fees or penalties;~~

~~5.1.11 Reimburse the Division for any costs incurred by the Division reimbursable under the provisions of "Davis County Board of Health Regulation to Provide for the Recovery of Expenses Incurred in the Cleanup of any Hazardous Material";~~

~~5.1.12 Operate in compliance with the Wasatch Integrated Waste Management District and City Waste Control Ordinances;~~

~~5.1.13 Not misrepresent services or risks or provide kickbacks and/or nonaccountable remuneration in order to obtain a competitive advantage;~~

~~5.1.14 Not interfere with employees of the Division who are administering the provisions of these rules and regulations;~~

~~5.1.15 Comply with any lawful notice or order issued by the Division pursuant to these rules and regulations or any other applicable law.~~

~~5.1.16 Receive approval of the Division prior to construction, expansion or remodeling of any infectious waste treatment facility.~~

~~5.15.6 All materials placed for treatment and/or treated in an infectious waste treatment facility are deemed to be an infectious waste for the purposes of this regulation.~~

~~5.13.7 Trash chutes shall not be used to transfer infectious waste.~~

~~5.3.1.6 Storage of Infectious Waste~~

~~Infectious waste shall be stored on a hard surface and protected from weather.~~

~~Red or Orange bags shall be over-packed in rigid, single use containers made of cardboard or other combustible materials not to exceed sixty five (65) pounds in weight if they are to be transported away from the generators facility for storage and/or treatment.~~

~~5.2 PERMITS: On compliance with these Regulations, other applicable law, upon receipt of a permit application signed by the authorized person, and payment of fees, infectious waste management facilities shall be issued a permit to operate by the Division.~~

~~5.2.1 Issuance of Permits: Permits shall be valid from January 1st through December 31st of each year. All permits will become void at midnight on December 31st of the year in which they were issued.~~

~~5.2.1.1 Permits shall be renewed upon continued compliance with these Regulations, other applicable law, upon receipt of a permit renewal application signed by the authorized person, and on payment of fees.~~

~~5.2.1.2 Permits themselves remain the property of the Division, only their use and the license they provide is tendered.~~

~~5.2.1.5 Permits issued under the provisions of these Regulations are not transferable.~~

~~5.2.1.6 Permit fees shall be established by the Board and are found in Section 8 of these Regulations.~~

~~5.2.2 Suspension of Permits: Permits issued by the Division under the provisions of these Regulations may be suspended by the Division for noncompliance with these Regulations and/or other applicable law.~~

~~5.2.2.2 Persons requesting reinstatement of suspended permits shall provide the Division with a written request signed by the authorized person, which includes a listing of the actions taken to rectify the causes of the permit suspension.~~

~~5.2.2.2 Suspended permits shall be reinstated within five (5) days if upon inspection and investigation of the formerly permitted facility, the Division finds the facility to be in compliance with these Regulations and other applicable law.~~

~~5.2.3 Revocation of Permits: Permits issued by the Division under the provisions of these Regulations may be revoked by the Division for repeated noncompliance of these Regulations and other applicable law which cause repeated permit suspensions. Permits~~

~~may also be revoked for blatant, severe disregard of these Regulations, interfering with or assaulting Division employees in performance of their lawful duties, and/or recklessly endangering the health and/or safety of the public, employees, and/or users of a permitted facility.~~

~~5.2.3.1 Revocation of a permit must be confirmed by the Board within thirty (30) days following the revocation by the Division.~~

~~5.2.3.2 Revoked permits shall only be reinstated by an action of the Board. Persons aggrieved by actions or inaction of the Board may appeal to a Court of Record.~~

5.3 — HEARINGS: Any persons aggrieved by any action or inaction of the Division may request a hearing before the Division Director or the Division Director's designated representative who will act as the hearing officer. The hearing must be requested in writing. The Division may initiate and require attendance at hearings.

5.3.1 — After receiving a written request for a hearing, the Division must provide the opportunity for the hearing within ten (10) working days of the date of the written request.

5.3.2 — The Division and/or aggrieved persons may be represented by council, may present evidence, may require witnesses giving testimony to be sworn by the hearing officer, and may record the proceedings.

5.3.3 — The hearing officer shall in no case require less than the minimum requirements of these rules and regulations.

5.3.4 — Authorized persons requesting reinstatement of suspended permits shall include in their request for a hearing a listing of the actions that have been taken to rectify the causes of the permit suspension.

5.3.5 — In a reasonable time following a hearing, not to exceed ten (10) working days, the hearing officer may render decisions, issue notices and orders, confirm or rescind suspension, negotiate agreements, and/or perform other lawful duties and shall issue a written document enumerating the same to affected persons.

5.3.6 — Persons aggrieved by any action or inaction of the hearing officer and/or the hearing process may appeal for a full hearing before the Board. The Board must provide an opportunity for the hearing within thirty (30) days of their receipt of a written request

5.4 — ADMINISTRATIVE, CIVIL AND CRIMINAL PROCEEDINGS: The administrative proceedings enumerated in Sections 5.2 and 5.3 of these Regulations in no way preclude Division officers from initiating civil or criminal proceedings in courts of competent jurisdiction prior to, concurrent with, and/or subsequent to any administrative action.

5.5 — INSPECTIONS

~~5.5.1 ——— It shall be the duty of the Division Director or any authorized representative of the Division Director, after presentation of proper credentials, to make inspections of infectious waste management facilities.~~

Infectious Waste Management Facility

~~5.5.1.1 — Inspections shall be conducted at the discretion of the Division at reasonable times and may be done with no prior notice.~~

~~5.5.1.2 — At reasonable times during operating hours inspectors shall be allowed access to all portions of facilities and to records required to be kept by persons operating infectious waste management facilities expeditiously upon request.~~

~~5.5.1.3 — Fixed facilities, must at all times during operating hours, have a person in charge on the premises who is authorized to represent the facility to Division inspectors. Fixed facilities must have a person in charge who is authorized to represent the facility to Division inspectors.~~

5.3.2 — Infectious Waste

~~5.5.1.4 — Drivers of infectious waste collection vehicles must be authorized by their organization to allow inspection of their vehicles by Division inspectors.~~

~~5.6 — EMERGENCIES: When authorized representatives of the Division find that an emergency exists that requires emergency action to protect the public health, he or she may take whatever lawful and prudent action necessary to alleviate the emergency situation. The Division may act to correct or abate the emergency situation. The costs of the correction or abatement of the emergency situation shall be charged to the property owner on which the emergency situation occurs, and/or the owner of the facility and/or anyone found responsible for causing the emergency.~~

~~5.5.2 — As soon as practical after conducting inspections, the Division shall make a report of the inspection available to the management of the inspected facility and file a copy in the Division's records. 5.5.3 — If the Division is denied access to an infectious waste management facility, the Division may request authority to conduct a search from a court of competent jurisdiction.~~

~~5.5.4 — Denial to authorized Division representatives at reasonable~~

~~times of access to an infectious waste management facility for inspection is a violation of these Regulations and is grounds for suspension of permits. A second occurrence within two (2) years is grounds for suspension and revocation of the permit.~~

~~5.5.3 If the Division is denied access to an infectious waste management facility, the Division may request authority to conduct a search from a court of competent jurisdiction.~~

~~5.5.4 Denial to authorized Division representatives at reasonable times of access to an infectious waste management facility for inspection is a violation of these Regulations and is grounds for suspension of permits. A second occurrence within two (2) years is grounds for suspension and revocation of the permit.~~

~~5.5.5 No infectious waste management facility shall begin operation without first having been inspected, approved and permitted by the Division.~~

~~5.6 EMERGENCIES: When authorized representatives of the Division find that an emergency exists that requires emergency action to protect the public health, he or she may take whatever lawful and prudent action necessary to alleviate the emergency situation. The Division may act to correct or abate the emergency situation. The costs of the correction or abatement of the emergency situation shall be charged to the property owner on which the emergency situation occurs, and/or the owner of the facility and/or anyone found responsible for causing the emergency.~~

~~5.7 — FINANCIAL RESPONSIBILITY: Prior to issuance or renewal of a permit for an infectious waste management facility, the Division shall require proof of financial responsibility, through, one or a combination of including but not limited to; financial statements, corporate guarantees, insurance, letters of credit, trust funds, taxing capacity escrow accounts, waste control laws, etc~~

~~5.8 — GOVERNMENT OWNED FACILITIES: Infectious waste management facilities whose debts and liabilities are the debts and liabilities of a municipal, state or the federal government shall be exempt from the bond requirements but not from the financial responsibility requirements.~~

~~5.9 — INFECTIOUS WASTES — GENERAL TREATMENT REQUIREMENTS~~

~~5.9.1 — GENERAL TREATMENT REQUIREMENT 1: All infectious wastes generated in the county shall be treated in an infectious waste treatment facility approved by the Division.~~

~~5.9.2 — GENERAL TREATMENT REQUIREMENT 2: All infectious wastes transported into the county for treatment shall be treated in an infectious waste treatment facility approved by the Division.~~

~~5.9.3 — GENERAL TREATMENT REQUIREMENT 3: Until infectious waste treatment facilities are operational, or during emergency situations, infectious wastes may be disposed of at landfills on specific approval by the Division.~~

~~5.10 — TRACKING INFECTIOUS WASTE: It is unlawful for any generator to place for collection; any transporter to collect and transport; or treatment facility operator to treat any infectious waste without having properly used an Infectious Waste Tracking Document approved by the Division.~~

~~5.10.1 — All infectious wastes generated in, collected in, transported into, transported through, treated, and/or disposed of within the County must be effectively tracked by the use of a tracking document:~~

~~5.10.1.1 — Treatment facility operators shall provide generators and transporters they service with blank Infectious Waste Tracking Documents.~~

~~5.10.1.2 — The Infectious Waste Tracking Document shall be one (1) original and at least three (3) copies. The Infectious Waste Tracking Document shall include, but not be limited to: weight or quantity, general description and an identifying number or code of the infectious waste containers covered by the Infectious Waste Tracking Document; the name, address and telephone number of the generator and a signature, date, and time line for the generator; the name and permit number of the transporter and a signature, date and time line for the transporter; the name and permit number of the treatment facility and a signature, date and time line for the treatment facility operator to be used at the time of receipt of the waste; and a signature box for the treatment facility operator to enter the time and date of treatment and signature certifying that the infectious waste has been properly treated and disposed of.~~

~~5.10.1.3 — Generators of infectious wastes shall initiate the tracking document listing the containers identifying numbers or codes, the time and date the containers are placed for collection, and sign the form.~~

~~5.10.1.4 — Transporters shall on collection of the containers inventory the containers placed for collection by the generator, and on the Infectious Waste Tracking Document initiated by the generator place the date and time of collection and sign the Infectious Waste Tracking Document.~~

~~5.10.1.5 — On delivery of the infectious waste at the treatment facility, the treatment facility operator shall inventory the infectious waste with regard to the tracking document. If all wastes are accounted for on a Infectious Waste Tracking Document and the wastes are properly packaged and meet the requirements of these rules and regulations and other applicable law, and if it is the intent of the treatment facility operator to treat the wastes, the treatment facility operator shall record the time and date on the tracking document and sign it.~~

~~5.10.1.6 — Immediately after treatment of the infectious waste, the operator will then enter the time and date of treatment of the infectious waste and sign the Infectious Waste Tracking Document certifying that the waste has been successfully and properly treated.~~

~~5.10.1.7 Each signature indicates an assumption of custody and thus responsibility for the infectious waste. Each signator retains the original or copy on which his or her original signature is placed.~~

~~5.10.1.8 — The completed third (3rd) copy (4th sheet) must be returned to the generator by the treatment facility operator within thirty (30) days of the treatment of the waste.~~

~~5.10.1.9 — Falsification of a tracking document is a violation of these Regulations and other applicable law.~~

~~5.10.1.10 Other means of tracking infectious wastes may be used if they are specifically approved in writing by the Division.~~

~~5.11 INFECTIOUS WASTE GENERATORS: All infectious wastes generated within the County shall be contained, stored, transported and treated in accordance with these Regulations and other applicable law.~~

~~5.11.1 All generators of infectious wastes within the County shall register with the Division:~~

~~5.11.1.1 Within ninety (90) days of the effective date of these Regulations.~~

~~5.11.1.2 Thereafter, within thirty (30) days of beginning generation of infectious wastes.~~

~~5.11.1.3 Information required for registration from the generator shall include types and approximate quantities of infectious wastes generated, description of storage facilities, transporter, and treatment facility used. At the request of the generator, the Division shall provide a form on which the generator can provide the required information.~~

~~5.11.1.4 Registration shall be updated whenever there is a significant change in the required information.~~

~~5.11.2 The Division may conduct inspections of generator storage facilities.~~

~~5.11.3 Generators shall keep records of the amounts of infectious waste generated:~~

~~5.11.3.1 Acceptable Records include Infectious Waste Tracking Documents and/or other Division approved tracking records.~~

~~5.11.3.2 The Division shall have access on request to these records.~~

~~5.11.3.3 Records shall be kept for a period of at least three (3) years.~~

~~5.12 CONTAINMENT OF INFECTIOUS WASTE BY GENERATORS: All infectious waste shall be contained in accordance with these Regulations and other applicable law.~~

~~5.12.1 Infectious waste shall be contained separately from other~~

wastes at the point of origin in the generating facility through treatment.

~~5.12.2 Infectious waste except for sharps, shall be contained in disposable plastic bags that are impervious to moisture and that have a minimum thickness 3.0 mils. The bags shall be securely tied or sealed to prevent leakage of contents during handling, storage, transport and/or treatment.~~

~~5.12.2.1 Bags shall be red in color.~~

~~5.12.2.2 Bags shall be conspicuously labeled with one of the following: "INFECTIOUS WASTES", "BIOHAZARD", or with the International Biohazard symbol and the word "BIOHAZARD".~~

~~5.12.2.3 Except as approved under the provisions of 5.13.2.4 below, red bags shall be over packed in rigid, single use containers made of cardboard or other combustible materials not to exceed sixty five (65) pounds in weight if they are to be transported away from the generators facility for storage and/or treatment.~~

~~5.12.2.4 Red bags may be contained in reusable containers to facilitate mechanization on specific approval by the Division. Reusable containers must be adequately cleaned and disinfected by the treatment facility operator between use and reuse.~~

~~5.12.3 Sharps shall be contained in a leak proof, rigid, puncture resistant, combustible container (usually plastic).~~

~~5.12.3.1 Sharps containers shall be red in color.~~

~~5.12.3.2 Sharps containers shall be conspicuously labeled with one of the following: "INFECTIOUS WASTES", "BIOHAZARD", or with the International Biohazard symbol and the word "BIOHAZARD".~~

~~5.12.3.3 Sharps containers must be equipped with tight fitting lids to preclude spillage of the contents during storage, transport and treatment.~~

~~5.13 STORAGE OF INFECTIOUS WASTE: All infectious wastes shall be stored in accordance with these Regulations and other applicable law.~~

~~5.13.1 All stored infectious wastes shall be contained as provided in Section 5.13 of these Regulations.~~

~~5.13.2 Areas where infectious wastes are stored shall be separate from other solid waste storage areas.~~

~~5.13.3 Storage areas must be clean and orderly and:~~

~~5.13.3.1 Must be hard surfaced and protected from weather.~~

~~5.13.3.2 Shall be enclosed and stored infectious waste so contained in leak proof bins,, drums, dumpsters, etc., with tight fitting lids to preclude access to the infectious waste by insects, rodents, birds, and other animals and to preclude wind scattering.~~

~~5.13.3.3 Shall be so maintained as to not constitute an aesthetic affront and/or a nuisance.~~

~~5.13.4 Storage areas shall be so secured as to deny access by unauthorized persons and marked with warning signs on the exterior of entry doors, gates, or lids. The warning signs shall read "CAUTION INFECTED WASTE STORAGE AREA UNAUTHORIZED PERSONS KEEP OUT". The warning signs shall be at least ten by fourteen inches (10" x 14").~~

~~5.13.5 Infectious waste stored longer than seven (7) days shall be refrigerated at (0° C) 32° F or below.~~

~~5.13.6 Infectious waste shall not be stored longer than ninety (90) days.~~

~~5.13.7 Trash chutes shall not be used to transfer infectious waste.~~

~~5.13.8 Bins, drums, dumpsters, etc. used for storage of infectious waste shall not be used for any other purpose unless they have been decontaminated using procedures outlined in Section 5.14 of these Regulations and shall be made of durable, cleanable, nonabsorbent materials.~~

~~5.13.9 All bins, drums, dumpsters, etc., used for storage of infectious waste shall be conspicuously labeled with one of the following: "INFECTIOUS WASTES", "BIOHAZARD", or with the International Biohazard Symbol and the word "BIOHAZARD".~~

~~5.13.10 Spills or areas contaminated by infectious wastes shall be expeditiously decontaminated using the procedures required in Section 5.14 of these regulations.~~

~~5.13.11 All materials stored with infectious wastes are considered infectious waste unless they are decontaminated using the procedures required in Section 5.14 of these regulations.~~

~~5.14 COLLECTION AND TRANSPORTATION OF INFECTIOUS WASTES-~~

PROHIBITIONSCollection Vehicle

~~5.14.1~~ Each Infectious Waste ~~infectious~~ Collection Vehicle ~~waste transporter~~ shall be responsible for the ~~satisfactory collections and transportation of infectious s~~ waste from the point of collection to the ~~infectious~~ Infectious w Waste Management ~~treatment f~~ Facility. Infectious Waste Collection Vehicles shall comply with the requirements of all Davis County Board of Health Regulations.

5.3.12.1 ~~Vehicle~~ Requirements

5.3.12.1.1 ~~Vehicle~~ Requirements

An Infectious Waste Collection Vehicle shall:

~~5.3.2.1.1.1~~ ~~be maintained in a mechanically safe and sound condition;~~

~~5.3.2.1.1.2~~ ~~be constructed in a manner that is easy to clean and maintain;~~

~~5.3.2.1.1.3~~ ~~be decontaminated inside the cargo area at least once every seven (7) days or whenever a spill occurs; and~~

~~5.3.2.1.1.4~~ ~~have t~~ The business name shall be posted or printed on the vehicle with a and phone number printed on each side and the back of the vehicle with letters and numbers at minimum height least of three (3) inches.

5.3.1.2 The Department issued ~~d~~ permit shall be posted on the vehicle in public view.

5.3.1.2.1 ~~A The~~ Department issued permit is ~~are not~~ transferable between vehicles.

in height.

5.3.2.1.2 ~~Cargo Hold~~ Requirements

The portion of the Infectious Waste Collection Vehicle in which the infectious wastes are placed shall be:

~~5.3.2.1.2.1~~ ~~fully enclosed with lockable doors;~~

~~5.3.2.1.2.2~~ ~~lined with durable, cleanable, nonabsorbent materials;~~

~~5.3.2.1.2.3~~ ~~bermed or sealed to preclude leakage of liquids from the enclosed area;~~

~~5.3.2.1.2.4~~ ~~easily accessed for cleaning and disinfection;~~

~~5.3.2.1.2.5~~ ~~designed and constructed to be easily loaded and unloaded; and~~

~~5.3.2.1.2.6~~ ~~incapable of compacting the infectious wastes.~~

5.3.2.2 Restrictions

~~An infectious waster~~ Infectious Waste Collection Vehicle ~~transporter engaged in the collection and transportation of infectious waste shall not:~~

~~5.3.2.2.1~~ ~~n5.14.1.1~~ ~~Not permit or allow any vehicle or trailer carrying infectious wastes to remain standing parked upon any premises, street, road, or highway any longer than necessary for the loading and transporting except in emergency situations such as severe weather conditions, equipment breakdown or an accident of infectious waste., (this does not preclude the use of properly equipped, refrigerated trucks or trailers used for temporary storage within approved storage areas).~~

~~5.3.2.2.2~~ ~~n5.14.1.2~~ ~~Not transport any infectious waste unless completely~~

~~covered, contained, and/or secured to prevent littering and/or discharge.~~

~~5.14.1.3 — Not collect and/or transport materials that are unauthorized by their permit or that are smoldering, smoking, burning, and/or in the process of reacting: producing significant heat, gases, and/or chemicals that may cause fire, explosion, and/or a hazard.~~

~~5.14.1.4 — Not collect and/or transport within a collection vehicle any hazardous waste as defined under federal, state, and/or local law.;~~

~~5.3.2.2.3 — 5.14.1.5 — nNot collect and/or transport any material which, due to its radioactivity, is a hazard or exceeds any standards for ionizing radiation emissions; and.~~

~~5.14.1.6 — Not collect and/or transport any material that creates a condition within the vehicle or a trailer used to transport the material that exceeds the lower flammability limit.~~

~~5.14.1.7 — nNot 5.3.2.2.4 allow the creation of create a health hazard, or nNuisance, and/or aesthetic affront, be it through the transporters action or inaction.~~

5.3.2.3 Designation as Infectious Waste

~~5.14.1.8 — Comply with any and all waste control laws in effect in the county.~~

~~5.14.1.9 — Collect and transport only infectious waste that is contained and tracked in accordance with these Regulations.~~

~~5.14.2 CONTAMINATED MATERIALS: Anyll materials, placed in an Infectious Waste Collection Vehicle with infectious wastes and/or all materials placed in a Collection Vehicle which has not been properly disinfected since containing infectious wastes isare deemed to be infectious wastes and must be handled, transported, Ttreated, and disposed of as infectious wastes such:~~

5.3.2.4 Documentation

5.3.2.4.1 — Material Logs

~~As requested by the Division, theThe operator/driver of a n Infectious Waste Collection Vehicle must provide maintain documentation of infectious wastes collected, transported, and the Infectious Waste Treatment/Management Facility where it was delivered for disposal. Documentation must be provided upon request from the Department.~~

5.3.2.4.2 — Decontamination Logs

~~An Infectious Waste Collection Vehicle must possess documentation of dates, times and signature of the individual performing the decontamination. Logs must be kept for at least three (3) years and be maintained on a calendar year basis.~~

5.3.2.5 Authorization for Inspection

~~5.14.3 INFECTIOUS WASTE UNLOADED ONLY AT FACILITY: Infectious waste, collected and/or transported within the county shall only be unloaded and/or stored at an approved infectious waste treatment facility (except in cases of vehicle breakdown). All unloading shall be conducted in accordance with the Division approved operating procedure of the infectious waste treatment facility.~~

~~5.14.4 REPORTS: At the request of the Division, an infectious waste transporter-~~

shall report to the Division the names, addresses, approximate quantity collected from, all generators of infectious wastes they collected from, and the infectious waste treatment facility where the collected infectious waste is treated. These records shall be prepared in the format required by the Division. Records shall be kept on file for a minimum period of three (3) years.

Drivers of infectious waste an Infectious Waste cCollection vVehicles must be authorized by their organization to allow inspection of their vehicles by Division Department inspectors.

5.3.3

Collection Vehicles shall comply with the requirements of all relevant Davis County Board of Health Regulations.

~~5.14.5 OPERATION AND SAFETY MANUAL: Each infectious waste transporter shall have a written operation and safety plan for the collection, handling, transportation and disposal of infectious wastes. This plan must be approved by the Division as part of the permit application. Each operating collection vehicle shall carry a readily accessible copy of the approved plan and each collection vehicle operator and all persons involved in collection and transportation shall be thoroughly trained on the requirements of the plan. The plan and training shall include the following parts:~~

~~5.14.5.1 The proper operation and safety features of the infectious waste collection vehicle;~~

~~5.14.5.2 Proper methods of collection, transporting and unloading of infectious wastes;~~

~~5.14.5.3 A listing of prohibited acts from these Regulations relating to collection, transport, treatment and disposal;~~

~~5.14.5.4 A description of the characteristics of infectious wastes and it's hazards;~~

~~5.14.5.5 The procedures to be followed in the event of spillage of infectious wastes including cleanup ad disinfection of contaminated surfaces including a listing of the components of the on vehicle emergency containment and decontamination kit;~~

~~5.14.5.6 The procedures to be followed in the event of a hot, burning and/or reactive load or if the lower flammable limit (LFL) is exceeded in the vehicle.~~

~~5.14.5.7 The procedures to follow if unauthorized waste material is deposited in the containers to be collected.~~

~~5.14.5.8 The procedures to be followed to properly use the Infectious Waste Tracking Document and to keep other required records.~~

~~5.14.5.9 The procedures to be used to properly disinfect the infectious waste collection vehicle.~~

~~5.14.5.10 The procedures to be followed to check collected infectious wastes for radioactivity.~~

5.14.6 VEHICLE PERMITS

~~5.14.6.1 Any vehicle used for the collection and/or transport of infectious waste shall not operate within the county unless the owner obtains a permit for the vehicle under the provisions of these Regulations.~~

~~5.14.6.2 Infectious waste collection vehicle permits are issued by the Division in~~

~~pairs, one to be affixed in a conspicuous location on each side of the vehicle.~~

~~5.14.6.3 Permits are issued to the operator for a specific vehicle and must be affixed to that vehicle. They are not transferable between vehicles or to successors.~~

~~5.14.6.4 Persons who transport infectious wastes from their own point of generation and less than 30 pounds at a time are not required to obtain a vehicle permit, but must operate the vehicle used for transport in compliance with all other applicable parts of these Regulations, including but not limited to at least an annual inspection of the vehicle by the Division. In such cases, the Division shall charge an inspection fee which is fifty percent (50%) of the vehicle permit fee.~~

~~5.14.7 VEHICLE CONSTRUCTION REQUIREMENTS: Each vehicle used by a person to collect and/or transport infectious wastes shall meet the following requirements:~~

~~5.14.7.1 The vehicle shall be constructed so that it is easy to clean and easy to maintain;~~

~~5.14.7.2 The portion of the vehicle in which the infectious wastes are placed shall be:~~

~~5.14.7.2.1 fully enclosed, with lockable doors,~~

~~5.14.7.2.2 lined with durable, cleanable, nonabsorbent materials;~~

~~5.14.7.2.3 bermed or sealed to preclude leakage of liquids from the enclosed area;~~

~~5.14.7.2.4 large enough, or capable of easy disassembly to a point where the enclosed area can be easily accessed for cleaning and disinfection;~~

~~5.14.7.2.5 so designed and constructed to be easily loaded and unloaded;~~

~~5.14.7.2.6 in no case be capable of compacting the infectious wastes.~~

~~5.14.8 VEHICLE MAINTENANCE REQUIREMENTS: Each vehicle used by a person to haul infectious waste shall:~~

~~5.14.8.1 Be maintained in a mechanically safe and sound condition.~~

~~5.14.8.2 Painted and clean.~~

~~5.14.8.3 Comply with all applicable noise control, emission control and safety inspection laws.~~

~~5.14.8.4 Be decontaminated inside the cargo area at least once every seven days or decontaminated whenever a leaking infectious waste container is observed. Decontamination procedures are found in Appendix B of these Regulations. A log of dates, times and signature of the person performing the decontamination shall be kept in the vehicle and maintained on a calendar year basis. Completed logs shall be kept for at least three (3) years.~~

~~5.14.8.5 At all times when the vehicle is operating as an infectious waste collection vehicle there shall be on board the vehicle a kit containing adequate supplies, tools, and equipment to contain and decontaminate in the event of spills to the extent practical.~~

~~5.14.9 VEHICLE IDENTIFICATION: All vehicles transporting infectious wastes shall:~~

~~5.14.9.1 — Be identified on each side and the back with a conspicuously displayed rectangular sign or decal at least ten by fourteen inches (10" by 14") in size with red letters on a white background which reads "INFECTIOUS WASTES" or with the International Biohazard symbol and the word "BIOHAZARD". The identifying sign shall be permanently affixed to the vehicle and shall be readily readable during daylight hours from a distance of fifty (50) feet.~~

~~5.14.9.2 — Permitted vehicles must have the name and phone number of the person or company owning the vehicle in three inch (3ⁿ) inch letters on each side and the back of the vehicle.~~

~~5.15 — INFECTIOUS WASTE TREATMENT FACILITIES: All infectious waste generated in Davis County and/or transported into Davis County for treatment shall be treated in a treatment facility approved by the Division.~~

~~5.15.1 — Acceptable treatment methods after approval by the Division include:~~

~~5.15.1.1 — Incineration~~

~~5.15.1.2 — Autoclaving~~

~~5.15.1.3 — Chemical Disinfection~~

~~a. — Approved on a case by case basis only by the Division.~~

~~5.15.1.4 — Direct Disposal to Sanitary Sewer~~

~~a. — Must comply with pretreatment requirements of the wastewater treatment district~~

~~— b. — Approved on a case by case basis only by the Division.~~

~~5.15.1.5 Cremation or Interment~~

~~a. — Recognized crematoriums and cemeteries are exempted from all but the health hazard and nuisance provisions of these regulations.~~

~~5.15.2 — Except for 5.16.1.4 and 5.16.1.5 above, the residue and/or ash from the treatment processes is a solid waste and may only be disposed of in Division approved facilities.~~

~~5.15.3 — In addition to specific requirements of these Regulations regarding the various treatment methods, each treatment facility shall meet the following general requirements prior to operation:~~

~~5.15.3.1 — Provide the Division with a complete set of plans and specifications of any facility for review and approval.~~

~~5.15.3.2 — Provide the Division with a complete operating plan for review and approval.~~

~~5.15.3.3 — Receive applicable state, county, and city licenses, permits, and approvals.~~

~~5.15.3.4 — Receive an operating permit from the Division by:~~

~~— a. — Demonstrating operational capability and compliance with these Regulations during a shakedown phase of a length to be negotiated not to exceed 120 days.~~

~~b. Payment of applicable fees established in Section 8 of these Regulations.~~

~~c. Compliance with Section 5.2 and Section 5.8 of these Regulations.~~

~~5.15.4 Infectious wastes stored at infectious waste treatment facilities shall be stored according to the standards set forth in Section 5.13 of these Regulations excepting 5.14.5 and 5.14.6.~~

~~5.15.4.1 Infectious wastes at the treatment facility generated longer than seven (7) days earlier shall be refrigerated at 32° F (0° C) or below until treated.~~

~~5.15.4.2 Infectious waste shall not be stored longer than seven (7) days at the treatment facility.~~

~~5.15.4.3 If the treatment facility is unable to treat wastes within seven (7) days, the treatment facility operator shall propose to the Division an alternate treatment method, and carry it out after Division approval.~~ Infectious Waste Treatment Facility

~~5.15.5 Infectious waste treatment facility operator shall:~~

~~5.15.5.1 Not receive or treat any infectious waste unless it is properly tracked and contained. An Infectious Waste Treatment Facility shall not accept or treat any infectious waste unless it is properly documented.~~

~~5.15.5.2 Not receive or treat any material which is a hazardous waste as defined under Federal, State, and/or local law.~~

~~5.15.5.3 Not receive or treat materials that are unauthorized by their permit or that are smoldering, smoking, burning and/or in the process of reacting; producing significant heat, gases, and/or chemicals that may cause fire, explosion, and/or a hazard.~~

~~5.15.5.4 Not receive or treat any material which due to its radioactivity is a hazard and/or exceeds any standards for ionizing radiation emissions.~~

~~5.15.5.5 Not allow the creation of a health hazard, nuisance and/or aesthetic affront, be it through the treatment facility operators action or inaction.~~

Documentation

~~5.15.5.6 Comply with any and all waste control laws in effect in the County.~~

~~5.15.6 All materials placed for treatment and/or treated in an infectious waste treatment facility are deemed to be an infectious waste for the purposes of this regulation.~~

~~5.15.7 At the request of the Division, an infectious waste treatment facility operator shall report At the request of the Division, management plans shall be made available to the Division the names, addresses, approximate quantity treated from all generators and transporters served by the treatment facility. These records shall be prepared in the format required by the Division and kept on file for a minimum period of three (3) years.~~

~~5.17.8.4 Operational records shall be available for inspection by the Division.~~

~~5.17.8.5 Operational records shall be maintained for a period of three (3) years.~~

~~5.15.8 All infectious waste treatment facility operators shall comply with the~~

~~requirements of Section 5.10 regarding use of tracking documents.~~

~~5.15.9 Treatment facility operators shall report all rejected wastes to the Division.~~

~~5.16 — INFECTIOUS WASTE TREATMENT FACILITY OPERATING PROCEDURE: All infectious waste treatment facility operators shall develop and provide to the Division a written operating procedure for the treatment Facility for the Division's review and approval. Infectious waste treatment facilities operating procedures shall include:~~

~~5.16.1 Methods used to preclude the inclusion of hazardous wastes and materials other than infectious wastes and/or radioactive materials from the treatment facilities.~~

~~5.16.2 Methods of operation of the specific treatment equipment that will ensure the adequate treatment of infectious wastes.~~

~~5.16.2.1 Treatment methods and equipment operation shall be compatible with the design criteria and specifications of the equipment used.~~

~~5.16.2.2 Treatment methods used and design criteria and specification of equipment must be supported by scientific and technical evidence from reputable manufacturers, reputable professionals, sound scientific principles, industry accepted practices, recognized agencies, etc.~~

~~5.17 — INCINERATORS: Incinerators used for the treatment of infectious wastes shall:~~

~~5.17.1 be multi-chambered;~~

~~5.17.2 have controlled combustion air;~~

~~5.17.3 use supplemental fuel, such as natural gas to achieve and maintain proper incineration;~~

~~5.17.4 be so designed and operated as to minimize handling of and preclude contamination from handling infectious wastes;~~

~~5.17.5 be so maintained and operated to strictly adhere to the requirements of the air quality permit issued through the Utah Air Conservation Committee and the Utah State Bureau of Air Quality and/or permits required by other pollution control agencies.~~

~~5.17.6 be so operated as to minimize air emissions during start up and shutdown of the incinerators;~~

~~5.17.6.1 During start up, supplemental fuel shall be used to pre-heat the incinerator to operating temperatures prior to the charging of wastes.~~

~~5.17.6.2 During shutdown supplemental fuel shall be used to maintain operational temperatures until all waste remaining in the unit is burned.~~

~~5.17.7 Be so maintained as to attain the proper temperatures, burn-out, gas residence-time, and other essential operating parameters so as to meet or exceed the treatment design criteria and air quality permit requirements for the specific incinerator.~~

~~5.17.8 Be so operated that current records are maintained of the amount of infectious wastes treated on an hourly basis, the treatment temperatures achieved, air pollution control equipment operation, required air quality monitoring and other pertinent operational data as determined by the Division.~~

~~5.17.8.1 Operation data records shall be recorded graphically, on permanent, tamper resistant, continuous monitors at time intervals approved by the Division.~~

~~5.17.8.2 Operational data recorders shall be correctly calibrated, and operating at all times that the incinerator is in operation, except for reasonable maintenance.~~

~~5.17.8.3 Utilized operational data records shall be signed and dated by the plant~~

operator when they are changed.

~~5.17.8.4 — Operational records shall be available for inspection by the Division.~~

~~5.17.8.5 — Operational records shall be maintained for a period of three (3) years.~~

~~5.17.9 — The Division may require monthly tests that demonstrate the effectiveness of the incineration process in destroying micro-organisms.~~

~~5.17.10 — The Division may require semi-annual testing of ash to determine compliance with federal, state and /or local law.~~

~~5.18 — AUTOCLAVE UNITS: Autoclaves (steam sterilizers, steam retort) used for the treatment of infectious waste shall:~~

~~5.18.1 — be so designed and operated as to minimize handling and preclude contamination from handling infectious waste.~~

~~5.18.2 — be so maintained and operated to strictly adhere to the requirements of any permit required by any other legal entity and all applicable law.~~

~~5.18.3 — be so maintained and operated as to attain proper time, temperature and pressure relationships for the types of infectious wastes treated; proper loading patterns, volume and density of infectious waste relationships.~~

~~5.18.3.1 — Infectious wastes loaded into an autoclave for treatment must be exposed and loaded such that sufficient heat is applied to all portions of the waste to bring about proper sterilization.~~

~~5.18.3.2 — Each package of infectious waste in a load shall have heat sensitive tape or equivalent affixed to the densest portion of the infectious waste in each package. The infectious waste will not be considered satisfactorily treated if the indicator fails to indicate that the required temperature was reached during the process.~~

~~5.18.3.3 — At least every seven (7) operating days the operator shall use a biological indicator, approved by the Division, such as Bacillus stearothermophilus placed at the center of the load to confirm the attainment of proper sterilization conditions.~~

~~5.18.3.4 — Operation data records shall be recorded graphically, on permanent, tamper resistant, continuous monitors at time intervals approved by the Division.~~

~~5.18.3.5 — Operational data recorders shall be correctly calibrated, and operating at all times that the autoclave is in operation, except for reasonable maintenance.~~

~~5.18.3.6 — Utilized operational data records shall be signed and dated by the plant operator when they are changed.~~

~~5.18.3.7 — Operational records shall be available for inspection by the Division.~~

~~5.18.3.8 — Operational records shall be maintained for a period of three (3) years.~~

~~5.18.3.9 — Thermometers shall be calibrated at least annually or more frequently if needed.~~

~~5.18.4 — Attain a minimum temperature of 250 degrees Fahrenheit (121 degrees Celsius) in all parts of the load and hold at or above that temperature for at least thirty (30) minutes.~~

~~5.19 — SMALL GENERATOR OPERATED ON-SITE TREATMENT FACILITIES: Treatment facilities operated by a generator located on the site where the infectious waste is generated treating only infectious waste produced on-site shall be permitted under the following conditions:~~

~~5.19.1 — After application for a permit, payment of applicable fees as established by the~~

Board in Appendix A of these Regulations, demonstrated compliance with these Regulations and on receipt of a permit to operate from the Division.

~~5.19.2 On-Site Incinerators:~~

~~5.19.2.1 After demonstrating to the Division that the on-site incinerator can meet the requirement of Section 5.18 excepting 5.18.6.1 and 5.18.6.2.~~

~~5.19.3 On-Site Autoclaves:Emergency~~

~~When authorized representatives of the Division/Department find that an Emergency exists that requires action to protect the public health, he or she may take whatever action necessary to alleviate the situation. The Division/Department may act to correct or abate the Emergency situation.~~

~~5.3.4 Contamination~~

~~Spills or areas contaminated by infectious wastes shall be immediately decontaminated.~~

~~5.19.3.1 After demonstrating to the Division that the on-site autoclave can meet the requirements of Section 5.19 (This does not preclude generators of small volumes of infectious waste from using an on-site autoclave, which is intended primarily for other uses, to treat small quantities of on-site produced infectious wastes.)~~**Enforcement**

It is unlawful for any Person not to comply with this regulation and the incorporated state statute and state administrative rules ~~or~~ and/or to interfere with the Department in the performance of its duties.

~~Any Person who fails to comply with this regulation or interferes with the Division in the performance of its duties shall be subject to the criminal and/or civil penalties set forth in regulation~~

~~5.4.1 Notice of Violation.~~

~~A notice of violation may be issued for any violation of this regulation.~~

~~5.4.2 Follow-up Inspection.~~

~~A follow up inspection may be required for any notice issued.~~

~~5.4.3 Suspension or Revocation of a Permit.~~

An Infectious Waste Management Facility operating permit may be suspended or revoked if the facility has violated any provisions of this regulation.

6.0 PENALTY

Any Person who fails to comply with this regulation or interferes with the ~~Division~~Department in the performance of its duties shall be subject to the criminal and/or civil penalties set forth in this regulation.

~~Any person, association, corporation, or the officers of the association or corporation who violates any provision of this section is:~~

- ~~— (i) on the first violation guilty of a class B misdemeanor; and~~
- ~~— (ii) on a subsequent similar violation within two years, guilty of a class A misdemeanor~~

6.1 Criminal Penalties Pursuant to UCA Section 26A-1-123

Pursuant to UCA 26A-1-123:

6.1.1 any Person who is found guilty by a court having proper jurisdiction of violating any of the provisions of this regulation; or, violating, disobeying, or disregarding any Notice or Order issued under this regulation is guilty of a class B misdemeanor;

6.1.2 any Person who is found guilty of a subsequent similar violation within two years of the initial violation is guilty of a class A misdemeanor;

6.1.3 each day such violation is committed or permitted to continue shall constitute a separate violation.

6.1.4 conviction under this section does not relieve the Person convicted from civil liability.

6.2 Civil and Administrative Penalties

The exercise of civil and administrative penalties shall be subject to the Davis County Board of Health's Adjudicative Hearing Procedures Regulation.

6.2.1 Any Person who violates any of the provisions of this regulation or violates, disobeys, or disregards any Notice of Violation or Order issued under this regulation shall be subject to:

6.2.1.1 the payment of costs incurred in the enforcement of any violation or notice issued, including costs attributable to any involved local agencies;

~~6.2.1.2~~ a penalty pursuant to the provisions of UCA Subsection 26-23-6(2).

7.0 SEVERABILITY

If any provision, clause, sentence, or paragraph of ~~these~~this regulations or the application or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions or applications of ~~these~~this regulations. The valid part of any clause, sentence, or paragraph of ~~these~~this regulations shall be given independence from the invalid provisions or application, and to this end the provisions of ~~these~~this regulations are ~~herby~~ declared to be severable.

8.0 FEES

~~8.1~~ Infectious
Waste ~~Scavenger~~Collection Vehicle Permit: _____
~~\$75.00~~

~~8.2~~ Infectious

Waste ~~Treatment Management Facility~~ ~~Incinerator~~ Permit: _____
_____ \$4,000.00

~~8.3~~ _____ Infectious
Waste Onsite Generator Treatment Facility: _____ \$375.00

8.3.1 A surcharge of \$.0025 per pound will be assessed on all infectious waste treated in excess of 500,000 pounds in a given calendar year.

8.3 Follow up inspection fee \$100.00

8.4 Late fee assessment

IN WITNESS WHEREOF, the Davis County Board of Health has passed, approved and adopted this regulation this 2nd day of October, 1990.

Effective date: 2nd day of October, 1990.

Revised and Amended: November 8, 2011

Revised and Amended: November , 2016

Davis County Board of Health

Signed: _____

Attest: _____

~~Ben Tanner~~ Scott Zigich, _____

_____ Lewis Garrett Brian Hatch, MPH

_____ Board Chairman _____

_____ _____ Director of Health