



1550 Crystal Drive  
Suite 804  
Arlington, VA 22202  
T 202.244.4700

*Submitted electronically via [www.regulations.gov](http://www.regulations.gov)*

October 12, 2021

Candace Casey, Standards & Rulemaking  
Aaron Wiener, International Program  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation  
Docket Operations, M-30  
Ground Floor Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re: Hazardous Materials: Harmonization with International Standards  
PHMSA-2019-0030 (HM-215P)

Dear Ms. Casey & Mr. Wiener:

The Healthcare Waste Institute (HWI) of the National Waste & Recycling Association (NWRA) is pleased to provide comments on the proposed Hazardous Materials: Harmonization with International Standards. The HWI represents manufacturers and service providers as well as other professionals in the healthcare waste management industry.

The Healthcare Waste Institute is an advocacy organization within NWRA, a not-for-profit trade group serving the interests of the solid and healthcare waste industries. The Institute supports private companies across the United States that manage healthcare waste, including regulated medical waste and infectious substances, through transportation and facility operations. In addition, members assist shippers in complying with hazardous materials packaging requirements.

*Column (5) Packing Group*

We appreciate and support efforts to harmonize with international standards by removing the assignment of PG II from column (5) of the Hazardous Materials Table (HMT) for the UN 3291, Regulated medical waste, n.o.s. entry. However, PG II is currently widely utilized as part of the proper shipping description on regulated medical waste containers, which many of our members have significant inventory. We seek confirmation that continuing to use packaging with “PG II” printed on it as part of the proper shipping description will not be an issue. We also suggest that PHMSA provide clarifying guidance to the regulated community that PG II containers may still be required per the packaging requirements in 49 CFR 173.197 and that the removal of the Packaging Group from the HMT does not negate that.

*New HMT Entry - UN3549 Medical Waste, Category A, Affecting Humans, solid or Medical Waste, Category A, Affecting Animals only, solid*

HWI applauds PHMSA for the creation of a new HMT entry specific to medical waste meeting the Category A classification as we agree that other Category A entries are not appropriate for shipments of this type of medical waste. We understand that PHMSA would like to retain oversight of transport of this highly regulated waste stream and thus requires a special permit for transport.

Today, a special permit for a Category A medical waste exists only for Ebola contaminated medical waste; thus, any other Category A pathogen would require a new special permit. Waste is generated before such special permit packaging guidance are issued which could lead to additional packaging/repackaging. Further, we are concerned as the special permit process can take a significant amount of time. This would lead the generator to have potential storage issues they are not prepared for.

Thus, we recommend that PHMSA provide initial packaging guidance for Category A medical wastes, so that generators have an immediate, safe, and compliant solution for initial packaging. Furthermore, generators of Category A medical wastes will want the waste removed from their property quickly due to lack of storage space as well as employee and public perception. Waiting weeks or months for PHMSA to issue a special permit would likely result in more problems.

We suggest that PHMSA consider a separate registration/approval process for haulers of this waste stream that includes a maximum amount of time for PHMSA to accept or reject the request; that way generators of this waste stream can be given some idea of the time they will need to store the waste that is generated and adequately prepare. Keep in mind that during the Ebola situation, one patient generated approximate eight 55-gallon drums of waste per day; thus supporting our concern as that is a significant amount of waste compared to their usual regulated medical waste generation rates.

HWI appreciates your consideration of our comments. HWI and its members would welcome the opportunity to discuss these and other concerns in further detail.

NWRA HWI – HMR Harmonization comments

October 12, 2021

Page 3 of 3

Should you have any questions, please call Anne Germain at 202-364-3724 or e-mail at [agermain@wasterecycling.org](mailto:agermain@wasterecycling.org).

Very truly yours,

A handwritten signature in black ink that reads "Darrel K. Smith". The signature is written in a cursive style with a light grey background behind it.

Darrel K. Smith  
President & CEO