

Disposal of Coronavirus Contaminated Medical Waste: Texas Commission in Environmental Quality Guidance



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The Texas Commission on Environmental Quality (“TCEQ”) has issued regulatory guidance regarding the transportation, treatment and disposal of Coronavirus Disease 2019 (“COVID-19”) medical waste.

TCEQ states that it generally defines medical waste as:

. . . special waste from health care-related facilities and includes:

- Treated and untreated animal waste
- Bulk human blood and body fluids
- Microbiological waste, pathological waste, and sharps

Citing 25 TAC 1.132(46) and 30 TAC 326.3(23).

Unlike Resource Conservation Recovery Act (“RCRA”) Subtitle C, Hazardous Waste, medical waste regulations are primarily promulgated by state environmental and health departments (i.e., the Arkansas Department of Health in the State of Arkansas).

The federal Environmental Protection Agency does not have the statutory authority to regulate medical waste (as opposed to some pharmaceutical waste which may be encompassed by the federal RCRA regulations). However, other federal agencies such as the Center for Disease Control, Occupational Safety and Health Administration and United States Food and Drug Administration do have certain regulations addressing medical waste.

The TCEQ COVID-19 medical waste guidance addresses:

- Definition of medical waste (including exclusions)
- Medical waste treatment methods (referencing Texas Department of State Health Services approved method of treatment)
- Medical waste facilities regulated by TCEQ (TCEQ rules for labeling, packaging, transportation, storage times, and handling procedures)
- Managing COVID-19 medical waste from healthcare facilities (citing Center for Disease Control and Prevention and World Health Organization recommendations for management of such medical waste)
- Managing COVID-19 medical waste from residents and businesses

A copy of the TCEQ guidance can be downloaded [here](#).