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**§326.61. Applicability and General Information**

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**(a). Registration Requirements**

A registration is required for facilities that store or process untreated medical waste that is received from off-site sources. The executive director may authorize these facilities to store and process other related waste. For the purposes of this subsection, off-site shall be any location that does not meet the definition of on-site found in §326.3 of this title (relating to Definitions). No person may cause, suffer, allow, or register any activity of storage, processing, removal, or disposal of any medical waste unless that activity is authorized by a registration or other authorization from the commission. In the event this prohibition is violated, the executive director may seek recourse against not only the person that stored, processed, or disposed of the waste but also against the generator, transporter, owner or operator, or other person who caused, suffered, allowed, or registered waste to be stored, processed, or disposed.

**(b). Registration from Commission**

No person may commence physical construction of a new medical waste management facility subject to this registration requirement without having received a registration from the commission.

**(c). Registration Application**

Registration application. A registration application for a medical waste facility is not subject to an opportunity for a contested case hearing.

**(d). Registration Elements**

The information required by this subchapter defines the basic elements for an application. All aspects of the application and design requirements must be addressed by the owner or operator, even if only to show why they are not applicable for that particular site.

**(e). Medical Waste Facility Registration Data**

The applicant for a medical waste facility registration shall provide the executive director data of sufficient completeness, accuracy, and clarity to provide assurance that operation of the site will pose no endangerment of the human health and welfare or the environment.

**(f). Return by Executive Director**

Failure of the owner or operator to provide complete information as required by this chapter may provide cause for the executive director to return the application without further action.

**(g). Registration Denial**

Submission of false information shall constitute grounds for denial of the registration application.

**(h). Processing Facilities and Waste Acceptance for Citizen or Individual Business Delivery**

Processing facilities registered under subsection (a) of this section, excluding facilities operating as transfer stations, may store or process municipal solid waste that would be classified as medical waste if it were generated by health care-related facilities. This municipal solid waste shall be subject to the same requirements as medical waste when it is accepted by a facility that is only a registered medical waste facility.

MedCare Environmental Solutions, Inc. (MedCare) will provide a service for the public that will allow individual citizens or businesses to become “walk-in” or “drive-up” customers. These customers shall have Service Agreements that will allow the customer to purchase from MedCare USDOT approved disposable or reusable sharps containers. These containers then may be used by the customers for the legal transport of less than fifty (50) pounds of Regulated Medical Waste (RMS) to the MedCare MSW Type V Medical Waste Treatment Facility.

With the Facility receipt of the RMW from the customers; the delivered RMW containers will be scanned, weighed, and recorded as to delivery at the Treatment Facility. The customer will be issued or E-Mailed a Facility signed Waste Tracking Document showing the date of delivery, type of waste delivered, customer name, and customer address. After each delivery of waste, the customer will then be able to purchase replacement containers for the customer’s use.