

# STATE OF DELAWARE



## EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER  
NUMBER Sixty Two

TO: Heads of All State Departments and Agencies

RE: Infectious Waste Disposal

WHEREAS, infectious waste disposal is a concern for the protection of public health and the environment in Delaware; and

WHEREAS, the Department of Natural Resources and Environmental Control is responsible for promulgating and enforcing a program of waste management regulations including developing infectious waste regulations to assure the safe and adequate management of wastes within this state; and

WHEREAS, the Delaware Solid Waste Authority is responsible for the operations of facilities in accordance with the solid waste regulations enacted by DNREC; and

WHEREAS, Delaware currently does not sufficiently regulate infectious waste management and disposal; and

WHEREAS, the Delaware Solid Waste Authority's regulations state that infectious wastes "shall not be delivered to a Solid Waste Facility;" and

WHEREAS, the Department of Natural Resources and Environmental Control in conjunction with the Division of Public Health has initiated a process to develop regulations for the proper management and disposal of infectious wastes; and

WHEREAS, such regulations are subject to public review and will require time to develop before promulgation; and

WHEREAS, it seems prudent that in the interim responsible action should be taken by state government to assure the safe management and disposal of infectious waste in facilities under its control.

NOW, THEREFORE, I, MICHAEL N. CASTLE, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order that;

1. An Infectious Waste Advisory Committee be established. The Advisory Committee shall consist of, but not be limited to, representation from the following agencies/organizations:

- a. Division of Air and Waste Management.
- b. Division of Public Health.
- c. Delaware Veterinary Medical Society.
- d. Delaware State Dental Society.
- e. Medical Society of Delaware.
- f. County Medical Societies.
- g. Delaware Health Care Facilities Association.
- h. Association of Delaware Hospitals.
- i. Delaware Nurses Association.
- j. Delaware State Bar Association.
- k. Board of Funeral Services Practitioners.
- l. Governor's Environmental Advisory Council.
- m. Office of State Planning and Coordination.
- n. Delaware Solid Waste Authority.
- o. The Academic community.
- p. Industry.
- q. Medical laboratories.
- r. Biomedical Waste Treatment Council.

The Chairman of the Advisory Committee shall be appointed by the Governor.

2. The Department of Natural Resources and Environmental Control shall enter a moratorium on the issuance of permits for infectious waste facilities. This moratorium shall take effect upon the date of this order in an effort to allow the Infectious Waste Advisory Committee the opportunity to plan for safe management and ultimate disposal of infectious waste. The moratorium shall be lifted at such time when infectious waste regulations have been put into effect.

3. The committee is hereby charged with the following duties:

- a. To develop and submit a draft set of infectious waste regulations for public review by March 1, 1989.
- b. To complete final regulations and a final report to be submitted to the Governor by June 1, 1989.
- c. To develop a method and plan of action for gathering infectious waste generation data from the potentially regulated community.

4. All State operated facilities and those facilities that receive state or federal funding which produce infectious waste must comply with the infectious waste disposal guidelines excerpted from the recommendations developed by the National Center for Disease Control until such time as the State develops and implements regulations.

5. The Delaware Solid Waste Authority shall develop a plan for the ultimate disposal of Delaware's infectious wastes by January 1, 1989.

6. All department heads of all state agencies shall ensure distribution of this order to all subcontractors and other appropriate entities to assure compliance with paragraph 4.

7. The state urges all private generators of infectious wastes to comply with the excerpts from the National Center for Disease Control guidelines that are hereby adopted as an interim policy.

APPROVED this 13<sup>th</sup> day of September, 1988.

Michael A. Castle  
Governor

[Signature]  
Secretary of State

