

Updates

April 21, 2020

Managing COVID-19 Wastes

The U.S. Centers for Disease Control is [now recommending](#) that everyone consider wearing face masks or other face coverings to help prevent the spread of COVID-19 in public settings where social distancing measures are difficult to maintain, which would include many workplaces. Several states have recently passed laws requiring employees at retail and food service establishments and other customer/client-facing businesses to use face masks, gloves, and other personal protective equipment (PPE) to prevent the spread of COVID-19. Still other businesses are voluntarily providing their employees face masks and gloves and, as the United States reopens, more businesses may provide (or be required to provide) PPE to their employees. More businesses will be cleaning and disinfecting or doing so more frequently in an effort to prevent the spread of COVID-19. All of these activities will generate wastes potentially contaminated with the COVID-19 virus.

This update discusses federal guidance and selected state guidance, and provides practical tips on how businesses (outside of the medical and healthcare industry) should manage these wastes to protect their own employees as well as to protect the employees of waste collection companies. As this is not intended as a comprehensive survey of state-issued guidance, and as the regulatory landscape is continually evolving, we recommend consulting local solid waste and health departments with specific questions about managing wastes that are potentially contaminated with COVID-19.

Agency Guidance

Guidance issued by the CDC, the Occupational Safety and Health Administration, and a few state agencies generally provides that businesses outside of hospitals, medical facilities, and healthcare providers should manage waste with potential or known COVID-19 contamination like any other municipal solid waste the business generates. Such waste is **not** considered hazardous waste or regulated medical waste that needs to be specially handled, managed, and disposed.

To date, none of these agencies has established specific requirements for managing waste potentially contaminated with COVID-19; the agencies simply provide recommendations that seek to minimize the risk of exposure to employees and waste management workers. Like the rest of us, these agencies are still learning about COVID-19, so the recommendations could change and the federal or state agencies could establish specific requirements for managing COVID-19 waste generated by businesses. The following is a summary of current federal and selected state guidance:

Federal Agencies

- **OSHA:** [OSHA's COVID-19: Control and Prevention page](#) states that workers and employers should manage municipal (e.g., household, business) solid waste with potential or known COVID-19 contamination like any other non-contaminated municipal waste. OSHA recommends using typical engineering and administrative controls, safe work practices, and PPE, such as puncture-resistant gloves and face and eye protection, to prevent worker exposure to the waste streams (or types of wastes), including any contaminants in the materials, they manage.

- **CDC:** To date, the CDC has not issued guidance for managing COVID-19 wastes from non-healthcare facilities, but other guidance issued by the agency suggests that such waste should not be managed differently from other solid wastes. Specifically, the CDC's guidance about cleaning and disinfecting non-healthcare related facilities does not discuss the disposal of waste generated during cleaning and disinfection, implying that there are no special procedures for managing that waste. Similarly, the CDC's guidance for wastewater workers provides that they should use standard practices including basic hygiene precautions and wearing the recommended PPE prescribed for their current work tasks when handling untreated waste, because there is no evidence to suggest that employees of wastewater plants need any additional protections in relation to COVID-19. Again, this guidance implies that waste potentially contaminated with COVID-19 does not require special handling, outside of normal waste management procedures.

Selected State Agencies

As of this point, only a few state agencies have issued specific guidance regarding the management of COVID-19 wastes, and, of those that have, even fewer have issued such guidance outside of the healthcare facility or residential/home context. For example:

- **Colorado:** In response to questions regarding the management of household and hospital wastes that could be affected by COVID-19, the Colorado Department of Public Health and the Environment issued [guidance](#) that appears to apply more broadly to all COVID-19 affected waste, including that generated by businesses, stating, "Generally, management of wastes should continue as normal"
- **Oregon:** The fact sheet, [Managing COVID-19 Solid Waste](#), notes that the state's rules generally treat personal protective equipment, cleaning and disinfection waste, and other materials that may have been exposed to germs as general solid waste. This material should be sealed in a trash bag and placed with regular trash. These trash materials can be handled by waste collectors and transfer stations like other solid waste generated from these locations.
- **South Carolina:** The state's [Waste Management & COVID-19 page](#) indicates that waste generated by businesses that are not associated with the healthcare community such as waste generated from disinfecting surfaces is not regulated as infectious waste. Any materials used in the cleaning process should be placed in a lined container and then disposed with other solid waste generated at the facility.
- **Texas:** The Texas Commission on Environmental Quality's [guidance](#) on the management of wastes potentially contaminated with COVID-19 recommends that non-healthcare-related businesses and residences double-bag contaminated wastes. All used gloves, face masks, and other disposable items should be placed in a bag that can be tied closed before being placed in another bag with other wastes. This bag should be placed in a rigid trash container, like a trash can with a lid or dumpster.
- Other states, such as **Massachusetts** and **West Virginia**, have expressly stated that they will follow OSHA's guidance regarding management of COVID-19 contaminated wastes.

Takeaways

Outside of hospitals, medical facilities, and other healthcare providers, potential COVID-19 waste generated by businesses does **not** need to be managed as regulated medical waste, infectious waste, or hazardous waste.

We believe it is prudent for all businesses to manage their solid waste consistent with the available agency guidance, by ensuring that their solid waste (including potentially COVID-19 contaminated wastes) be placed in

sealed bags prior to being picked up by the waste collectors. As added protection, a business should consider double-bagging solid waste containing potential COVID-19 contaminated waste.

Unless a business generates other regulated medical waste, it should **not** use biohazard bags, which are usually red. Using such bags could cause confusion with the waste collectors or the final disposal facilities.

Businesses are **not** required to use separate trash bins or receptacles for potential COVID-19 waste. However, if a business elects to use separate trash bins or receptacles for potential COVID-19 waste, we recommend the following:

- The trash bins or receptacles should be rigid with closeable lids and be kept closed except when adding wastes.
- The business should inform employees about the trash bins or receptacles before placing them onsite and communicate the proper use of the trash bins or receptacles so as to not unnecessarily alarm employees.
- The business should not place a trash bin or receptacle intended for potential COVID-19 waste (or other solid waste) in or near a hazardous waste satellite accumulation area or central accumulation area.
- The business should use appropriate signage to ensure employees do not mistakenly place hazardous waste in a trash bin or receptacle intended for potential COVID-19 waste.

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