



Environmental Health – Medical Waste Program
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CALIFORNIA MEDICAL WASTE MANAGEMENT ACT REPEAL OF THE LIMITED QUANTITY HAULING EXEMPTION

New legislation (Assembly Bill 333) has repealed the Limited Quantity Hauling Exemption (LQHE) for transporting small volumes of medical waste. Effective January 1, 2015, the LQHE annual application/renewal will not be required. If medical waste is transported from field operations you will now be subject to the federal Department of Transportation *Materials of Trade* rules.

The minimum California standards are:

- 1) Must be a registered medical waste generator.
- 2) Cannot transport more than 35.2 pounds at any one time.
- 3) Must comply with the Department of Transportation *Materials of Trade* requirements.
- 4) Must keep and maintain a log of the materials (medical waste) transported.

Below is a summary of the new law. Additional information will be posted on our website as it becomes available.

Section 117900 Health & Safety Code:

No person shall haul medical waste unless the person is one of the following:

- (a) A registered hazardous waste hauler pursuant to the requirements of Chapter 6.5.
- (b) A mail-back system approved by the United States Postal Service.
- (c) A common carrier allowed to haul pharmaceutical waste pursuant to Section 118029 or 118032.
- (d) **A small quantity generator or a large quantity generator transporting limited quantities of medical waste with an exemption granted pursuant to either Section 117946 or Section 117976 respectively.**

Section 117946.

(a) A small quantity medical waste generator or parent organization that employs health care professionals who generate medical waste may transport medical waste generated in limited quantities up to 35.2 pounds to the central location of accumulation, provided that all of the following are met:

- (1) The principal business of the generator is not to transport or treat regulated medical waste.
- (2) The generator shall adhere to the conditions and requirements set forth in the materials of trade exception, as specified in Section 173.6 of Title 49 of the Code of Federal Regulations.
- (3) A person transporting medical waste pursuant to this section shall provide a form or log to the receiving facility, and the receiving facility shall maintain the form or log for a period of two years, containing all of the following information:
 - (A) The name of the person transporting the medical waste.
 - (B) The number of containers of medical waste transported.
 - (C) The date the medical waste was transported.

(b) A generator transporting medical waste pursuant to this section shall not be regulated as a hazardous waste hauler pursuant to Section 117660.

Section 117976 outlines the same requirements for large quantity generators as listed in Section 117946 above.

Should you have any questions regarding this change, please contact us at ocmedicalwaste@ochca.com.