Trash Talking: Waste Disposal Issues in Georgia
By Laney Kay, JD, MPH

I've taught regulatory compliance to dental people for more than 28 years, and the one thing I can say, without exception, is that I hate when vendors lie to dentists. We have to pay for enough real stuff that it drives me crazy when someone lies about something else we need to do.

Two years ago some dental supply guy was telling dentists in middle and south Georgia that OSHA had been given a grant to open an OSHA office that specifically targeted dentists...false! Some HIPAA consultant told dental folks that the DHJS was requiring that dentists put a certain brand of glass partitions up in their reception area to prevent other patients from overhearing their conversations with the front desk...false! There have been many "HIPAA and OSHA Compliant" products that dental supply reps swear will prevent any fires or trouble with your favorite alphabet agency...false!

Now one biomedical waste disposal company is implying that used anesthetic caruples cannot be put in the regular trash; instead, they must be put in a pharmaceutical recycling container, which they just happen to supply for a large fee...false! The truth is that, although new guidelines on waste disposal have been discussed, there are no changes at this point; the only thing that has changed is that company's policies. Here's the bottom line on what we have to do when disposing of these different forms of waste in a dental office.

Who regulates waste in Georgia?
In Georgia, solid waste disposal is controlled by the Georgia Department of Natural Resources (DNR). The goal of the DNR is to make sure that when we dispose of any waste, especially biomedical or other potentially hazardous materials, it won't injure the landfill workers or contaminate our land and groundwater. The good news is that most of our waste (approximately 98%) is neither biomedical waste, nor hazardous waste, and does not need additional handling.

Also, most dental offices generate less than 220 pounds of hazardous waste in a month and less than 2.2 pounds per month of extreme hazardous waste, (certain chemicals and medications), so we are considered to be "Conditionally Exempt Small Generators" and are exempted from many of the regulations that apply to larger hazardous waste producers. For example, solid waste such as discarded lead aprons, can be disposed of in the regular trash, so long as the total hazardous waste generated that month is not more than 220 pounds. Most of us also generate less than 100 pounds of biomedical waste per month, so that waste can also be placed in the regular trash. However, a county can always refuse to accept hazardous materials that it does not want to accept into its landfills, even if it's allowed by the state.

Chemical and pharmaceutical waste is regulated by the EPA. Under these Rules, (mostly the RCRA-Resource Conservation and Recovery Act of 1976), certain hazardous chemicals cannot be put down the drain or in landfills in order to avoid groundwater and land contamination. Chemicals are classified according to their level of toxicity and are controlled accordingly (P-list are acutely hazardous chemicals, and U-list are toxic chemicals). Fortunately, in dentistry, we use very few of these toxic chemicals and are therefore exempt from most of the requirements.

The DEA regulates the disposal of controlled substances and expired medications. Any controlled substances must be tracked and disposed of properly, and expired medications must not be thrown in the regular trash.

How do we handle disposal of different forms of potentially hazardous materials?

Caruples
One waste disposal company told Georgia dentists that caruples are considered pharmaceutical waste and cannot be thrown into the regular trash. They also said that they cannot be placed into sharps containers, but must be disposed of in pharmaceutical waste containers. This is not true. Generally, caruples can be disposed of in the regular trash.

One company told several doctors that since epinephrine is considered to be an "acutely hazardous" P-List chemical, that it must be disposed of in a pharmaceutical waste receptacle and then picked up. While it is true that pure epinephrine is considered to be "acutely hazardous" and, therefore, should not be poured down the sink, etc., epinephrine salts and epinephrine mixed with other substances such as lidocaine, are NOT P-list chemicals and do NOT have to be disposed of separately. Since we generate less than 220 pounds of hazardous waste in a month, those empty/partially empty caruples can be placed in the regular trash.

If a carule is broken or there is blood aspirated into the container, it should be placed in the sharps container, not in the regular trash because it could injure someone in the office or a landfill worker. Some companies no longer allow caruples in sharps container (because of company policy, not because of changes in the law); you'd have to deal with them for situations such as these.
The only other issue might be if you have a bunch of expired anesthesia carpules that haven’t been used. Unless it’s a small amount of carpules, those should probably be picked up and processed by a reverse distributor company to avoid any liability issues that could occur if a large amount of unused medications were accessible to the public in a dumpster.

When disposing of epi-pens or injectable epinephrine, or asthma inhalers they should be picked up, or take it to one of the annual DEA take-back events (check the DEA website for dates), or take it to a registered collector (many local pharmacies are registered collectors and will take back small amounts of drugs for disposal).

**Suctioned materials**
I have had several people ask how we dispose of suctioned materials. Generally, we are allowed to pour any suctioned materials down into the municipal sewer or septic tank for disposal. In the 2003 Infection Control Guidelines for Dentistry, for example, it states that:

*Discharging Blood or Other Body Fluids to Sanitary Sewers or Septic Tanks.* All containers with blood or saliva (e.g., suctioned fluids) can be inactivated in accordance with state-approved treatment technologies, or the contents can be carefully poured down a utility sink, drain, or toilet (6). Appropriate PPE (e.g., gloves, gown, mask, and protective eyewear) should be worn when performing this task (13). No evidence exists that bloodborne diseases have been transmitted from contact with raw or treated sewage. Multiple bloodborne pathogens, particularly viruses, are not stable in the environment for long periods (302), and the discharge of limited quantities of blood and other body fluids into the sanitary sewer is considered a safe method for disposing of these waste materials (6). State and local regulations vary and dictate whether blood or other body fluids require pretreatment or if they can be discharged into the sanitary sewer and in what volume.

The Georgia Department of Natural Resources also generally agrees with that assessment. Rule 391-3-4-.15(6)(b) states that “(f)luid or semi-solid waste…may be discharged to a sewage treatment system that provides secondary treatment of waste if approved by the agency responsible for the operation of the sewage treatment system.” In other words, blood and secretions that are suctioned from patients can be disposed of directly into the sewer system, so long as the county is okay with it. Most counties have no issue with this practice; other types of businesses, such as funeral homes, also utilize the sewers to get rid of body fluids and they discharge a much higher volume than dental offices.

**Pharmaceutical waste**
Disposal of pharmaceutical waste can be tricky. Here’s the bottom line about the requirements. Again, there are no new waste requirements that affect dentistry. On the federal side, this waste is potentially regulated by the EPA; however, if the vials are empty, or less than 3% of the materials remain in the bottom, they can be thrown in the regular trash with NO additional precautions, which these waste disposal companies forget to mention. Most of our vials are multi-use vials that are empty before they’re disposed of, so disposal is not usually an issue. So, unless you’re an oral surgery facility or a clinic that disposes of significant amounts of pharmaceutical waste related to anesthesia/sedation, this has little relevance.

However, for those offices, throwing these vials in the regular trash is not necessarily the best option. When you have used IV tubing (without attached needles), empty vials or syringes, etc. the best practice is to place those materials in your red bags and have them picked up. That way, there’s no chance of some druggie going through your trash looking for drug remnants, there’s no chance your local news channel is going to check out your dumpster and show your used tubing and empty drug vials on the evening news, and there’s no chance that you’ll have a problem with your county landfill. If you’re already paying to have the red bags picked up, this avoids many potential problems.

For controlled substances, there are specific requirements. The DEA requires that drugs are properly disposed of, either by in-office destruction or by having them picked up by a reverse distributor or dropping them off at approved collection centers. Again, this is not a problem with the average dental office, but for those dentists who perform sedation dentistry, drugs such as Versed (midazolam), Diprivan/Propofol, Ketamine, Fentanyl, etc. are all scheduled drugs and it is vital to ensure they are tracked, monitored, and disposed of properly. Make sure you always have two people monitoring disposal and destruction of these drugs, fill out all necessary forms carefully and completely, and keep the forms available in the event of an audit.

Reverse distributor companies also pick up expired, unused medications for proper disposal, or you can drop them off at approved collection centers.

**Sharps**
Sharps should be placed in sharps containers and picked up when they are full. In Georgia, we are responsible for our trash from "cradle to grave", and as a result, if someone is injured from these sharps, the potential liability is huge. Some have said, well, if we're a small generator, can't we just cap it and place it in a dumpster? Technically, you could, but again, the potential liability is huge, and most counties in Georgia won't accept them, so you can also be fined and penalized. There are plenty of companies around that will pick up only on demand and don't require expensive, long-term contracts, so shop around be careful before you sign any long term agreements.

The other option would be to use the "Isolyzer" system, which decontaminates the sharps and encases them in a solid substances. Those encased, decontaminated sharps can then be placed in the regular trash, so long as your county's landfill accepts it.

**Blood-Saturated materials**
For cotton rolls and gauze that are blood-saturated, not blood stained, they should not be placed in the regular trash. There are a couple of options. For oral surgery practices and those offices that generate more than 100 pounds of biomedical waste per month, the best way to handle this is by using red bags that are picked up by a service. For the average dental office that generates much less than 100 pounds per month, the easiest solution is to autoclave the blood-saturated material. At the end of the procedure, place the blood-saturated materials in an autoclavable pouch, run it through a cycle and throw it in the regular trash. If you choose to use this option, the DNR requires the use of biological monitors to ensure that the autoclave is working properly; since weekly autoclave monitoring is already required by OSHA and the CDC, no additional monitoring is required.
So what’s new?
Bottom line, not much is new in the world of waste disposal. Everyone’s biggest concern is insuring that landfill workers are not injured and chemicals and waste do not contaminate our air, land and water. Fortunately, Georgia recognizes that we generate very small amounts of waste that is truly hazardous and is careful not to saddle us with too many ridiculous regulations. Unfortunately, many of the waste disposal companies have not been careful about saddling us with abusive sales tactics and ridiculously burdensome contracts. Always be careful to read your contracts carefully and shop for other alternatives before you sign.

Laney Kay, JD, MPH, of Entertaining Training, LLC, has been writing and speaking on technical and regulatory topics since 1989. Her expertise is in taking very complex and/or boring topics and making them both fun and informative. She has written many articles for state and national journals and has taught courses all over the country, and is now teaching classes online. Contact her at laney@laneykay.com.

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