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# Oregon Health Authority

## Public Health Division - Chapter 333

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### Division 56

#### INFECTIOUS WASTE MANAGEMENT

##### [333-056-0010](#)

##### **Purpose of Infectious Waste Administrative Rules**

The purpose of OAR 333-056-0020 through 333-056-0050 is to define terms related to infectious waste and to prescribe acceptable methods of storage and treatment of infectious waste.

**Statutory/Other Authority:** ORS 431.110, 433.004 & 459.395

**Statutes/Other Implemented:** ORS 459.395

##### **History:**

OHD 15-2001, f. & cert. ef. 7-12-01, Renumbered from 333-018-0040

HD 15-1990, f. 6-5-90, cert. ef. 7-1-90

##### [333-056-0020](#)

##### **Definitions Relating to Infectious Waste**

As used in OAR 333-056-0010 through 333-056-0050, unless the context requires otherwise, the following definitions apply:

- (1) "Disposal" has the meaning given that term in ORS 459.386.
- (2) "Disposal site" has the meaning given that term in ORS 459.005.
- (3) "Division" means the Oregon Health Authority, Public Health Division.
- (4) "Health care facility" has the meaning given that term in ORS 442.015.
- (5) "Incineration" has the meaning given that term in ORS 459.395.
- (6) "Infectious waste" means biological waste, cultures and stocks, pathological waste, or sharps, as those terms are defined in ORS 459.386; or syringes.
- (7) "Landfill" means a facility for the disposal of solid waste involving the placement of solid waste on or beneath the land surface.
- (8) "Noninfectious" means a state in which a disease causing agent is not capable of causing an infection to occur.
- (9) "Pathological waste" has the meaning given that term in ORS 459.386.
- (10) "Saturated waste" means waste that contains enough body fluid that it would cause dripping of the body fluid from the waste container, with or without compaction.
- (11) "Sterilization" means, for purposes of these rules, any process which changes infectious waste so that disease causing agents contained within it are rendered non-infectious at the time the process is completed.

(12) "Storage" has the meaning given that term in ORS 459.386.

(13) "Syringe" means an instrument for the injection of medicine or the withdrawal of body fluids that consists of a hollow barrel fitted with a plunger and a hollow needle.

(14) "Transportation" has the meaning given that term in ORS 459.386.

(15) "Treatment" means incineration, sterilization or other method, technique or process approved by the Oregon Health Authority, Public Health Division that changes the character or composition of any infectious waste so as to render the waste noninfectious. Treatment also includes methods of rendering waste noninfectious, which are approved by the Environmental Quality Commission.

**Statutory/Other Authority:** ORS 431.110, 433.004 & 459.395

**Statutes/Other Implemented:** ORS 431.110, 433.004, 459.395, 459.386 & 459.400

**History:**

PH 5-2024, amend filed 03/15/2024, effective 03/22/2024

PH 45-2023, temporary amend filed 09/22/2023, effective 09/24/2023 through 03/21/2024

PH 17-2020, amend filed 03/26/2020, effective 04/06/2020

PH 10-2015, f. 7-2-15, cert. ef. 7-3-15

PH 16-2013, f. 12-26-13, cert. ef. 1-1-14

OHD 15-2001, f. & cert. ef. 7-12-01, Renumbered from 333-018-0050

HD 15-1990, f. 6-5-90, cert. ef. 7-1-90

### 333-056-0030

#### Infectious Waste Treatment

(1) Pathological wastes shall be treated by incineration in accordance with ORS 459.395.

(2) Cultures and stocks shall be incinerated as described in ORS 459.395(1) or sterilized by other means prescribed by this rule:

(a) Incineration, in compliance with all applicable rules established by the Environmental Quality Commission;

(b) Sterilization with saturated steam in a pressurized vessel dedicated to infectious waste treatment. Operating procedures, which must be developed and implemented, shall include at least the following:

(A) Adoption of standard written operating procedures for each steam sterilizer including time, temperature, pressure, type of waste, type of container(s), type of closure on container(s), pattern of loading, and maximum load quantity. The manufacturer's recommendations shall be taken into account;

(B) Methods for monitoring, recording or temperature-measuring-devices during each complete cycle to ensure that the manufacturer's recommended temperature is attained for the recommended amount of time in order to achieve sterilization of the entire load. Temperature measuring devices shall be checked for calibration at least annually;

(C) Methods for using heat-sensitive tape or other device designed to indicate attainment of adequate sterilization conditions, for each container;

(D) Methods for at least monthly use of the biological indicator *Bacillus stearothermophilus*, or equivalent, placed at the center of a load processed under standard operating conditions, to confirm the attainment of adequate sterilization conditions; and

(E) Methods for maintenance of records pertaining to paragraphs (2)(a)(A), (B) and (D) of this rule. These records shall be maintained and available for Division review for a period of not less than one year.

(c) Treatment by another method that meets the following criteria:

(A) The specific processes of the method have been tested under the conditions in which the method would be used in Oregon for the treatment of infectious waste. Such testing has demonstrated that the method is effective in rendering infectious agents non-infectious by showing bactericidal efficacy against at least spore-forming bacteria and a *Mycobacterium*. The testing methodology, test results, and documentation thereof must be considered scientifically valid by the Division. The determination of validity requires, but is not limited to:

(i) The testing methodology follows basic scientific principles or objectivity and is fully documented;

- (ii) The results of the testing are fully documented. Raw data are made available to the Division if they are requested by the Division;
  - (iii) The testing has been done by a scientist with an advanced degree in microbiology and with a record of having published scientific research results in a peer-reviewed journal;
  - (iv) The report of the testing methodology and results, together with the statement "This report is an accurate and complete account of the test methods I performed and the test results I obtained" have been signed by the scientist(s) who performed the testing; and
- (B) Any discharges into air or water and any solid waste resulting from the method meet the requirements of the laws and administrative rules of the Oregon Department of Environmental Quality; or
- (C) The Environmental Quality Commission has approved the method and has accepted that method by administrative rule.
- (3) Liquid or soluble semi-solid biological wastes shall be treated in accordance with ORS 459.395.
- (4) Sharps shall be treated and disposed of in accordance of ORS 459.395(4).
- (5) Methods of treatment which have not been delineated in this rule or approved by the Division or the Environmental Quality Commission, as applicable, are not permitted.

**Statutory/Other Authority:** ORS 431.110, 433.004, 459.395 & 459.390

**Statutes/Other Implemented:** ORS 431.110, 433.004, 459.395 & 459.390

**History:**

[PH 17-2020, amend filed 03/26/2020, effective 04/06/2020](#)

PH 16-2013, f. 12-26-13, cert. ef. 1-1-14

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HD 29-1994, f. & cert. ef. 12-2-94

Reverted to HD 15-1990, f. 6-5-90, cert. ef. 7-1-90

HD 13-1992(Temp), f. & cert. ef. 12-23-92 (and corrected 12-30-92)

Reverted to HD 15-1990, f. 6-5-90, cert. ef. 7-1-90

HD 20-1991(Temp), f. & cert. ef. 11-8-91

HD 15-1990, f. 6-5-90, cert. ef. 7-1-90

### **333-056-0040**

#### **Infectious Waste Storage Times and Temperature**

- (1) Infectious waste shall be segregated from other wastes by separate containment at the point of generation in accordance with ORS 459.390.
- (2) Pathological waste, biological waste, and cultures and stocks shall be treated or disposed of pursuant to OAR 333-056-0010 through 333-056-0030 within seven days of generation, unless it is refrigerated (between 33 and 48 degrees Fahrenheit) or frozen (less than 32 degrees Fahrenheit). Refrigerated or frozen infectious waste may be stored 30 days prior to treatment or disposal.
- (3) Generators that produce 50 pounds or less of infectious waste in any calendar month shall be exempt from the requirements pertaining to storage times and temperatures.

**Statutory/Other Authority:** ORS 431.110, 433.004, 459.395 & 459.390

**Statutes/Other Implemented:** ORS 431.110, 433.004, 459.395 & 459.390

**History:**

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OHD 15-2001, f. & cert. ef. 7-12-01, Renumbered from 333-018-0070

HD 15-1990, f. 6-5-90, cert. ef. 7-1-90

### **333-056-0045**

#### **Exemptions for Removal of Human Pathological Waste, Including Placentas, From a Health Care Facility**

- (1) Notwithstanding any other provision in OAR chapter 333, division 56 or ORS 459.386 to 459.405, a health care

facility is authorized to release pathological waste other than a placenta to the donor of the pathological waste or to an authorized representative of the donor, if the recipient attests in writing that the pathological waste will be disposed of by cremation, interment, or other means in accordance with ORS chapter 97, and the facility complies with sections (4) and (5) of this rule.

(2) Notwithstanding any other provision in OAR chapter 333, division 56 or ORS 459.386 to 459.405, a health care facility may release a placenta to the individual from whom the placenta originated, or to their designee, if the facility complies with sections (3) to (5) of this rule, and the individual or their designee and the individual's health care provider sign a form that contains at least the following:

(a) The individual's name, date of birth, address and the name of the health care provider;

(b) An attestation by the individual or their designee that the placenta will not be used for commercial purposes; and

(c) An attestation by the health care provider that:

(A) Since the beginning of the pregnancy the individual tested negative for infection by hepatitis B and human immunodeficiency viruses;

(B) The individual either tested negative for hepatitis C virus since the beginning of the pregnancy or is not at risk for hepatitis C; and

(C) To the health care provider's knowledge, the individual has no infection that poses a threat to persons who handle the placenta.

(3) The health care facility must keep a copy of the signed attestations described in section (2) of this rule in the individual's medical record.

(4) Health care facilities that release placentas or other pathological waste must have and implement a written policy and procedure that:

(a) Specify when placentas or other pathological waste will be released;

(b) Specify how the release will occur in order to ensure compliance with this rule;

(c) Ensure the safe management and transport of placentas or other pathological waste; and

(d) Identify a procedure for patients to submit complaints about the facility's process for releasing pathological waste or about the implementation of that process.

(5) Health care facilities shall make policies and procedures developed in accordance with section (4) of this rule available to the Public Health Division upon request.

(6) Nothing in this rule prohibits a health care facility from having additional requirements for the removal of a placenta from the facility.

(7) Nothing in this rule exempts facilities from other state or federal laws, including but not limited to the Resource Conservation and Recovery Act, regarding handling of pathological waste.

(8) The Oregon Health Authority recognizes that facilities that release pathological waste in accordance with these rules may help to support the final disposition of body parts in accordance with an individual's traditions, cultural beliefs, customs, and ceremonies.

**Statutory/Other Authority:** ORS 431.110, 433.004, 459.400, 97.010 & 97.745

**Statutes/Other Implemented:** ORS 431.110, 433.004, 459.400, 97.010, 97.745, 459.386 & 459.395

**History:**

[PH 5-2024, amend filed 03/15/2024, effective 03/22/2024](#)

[PH 45-2023, temporary amend filed 09/22/2023, effective 09/24/2023 through 03/21/2024](#)

PH 16-2013, f. 12-26-13, cert. ef. 1-1-14

### **333-056-0050**

#### **Prevention of Disease Transmission by Blood-Contaminated Sharp Objects**

Any person using sharp instruments (for example, needles, lancets, scalpels, syringes) for purposes of drawing blood,

administering medication, or medical/surgical procedures on humans, shall dispose of such items in a manner that will protect any other handlers of this waste from injury. The disposal of such waste shall be in accordance with current recommendations of the U.S. Centers for Disease Control and Prevention, and shall include the use of impervious, rigid, puncture-proof containers. This rule applies to but is not limited to blood banks, plasmapheresis centers, medical clinics, dental offices, outpatient care centers, inpatient care facilities, hospitals, and home health agencies.

**Statutory/Other Authority:** ORS 431.110, 433.004 & 459.395

**Statutes/Other Implemented:** ORS 431.110, 433.004 & 459.395

**History:**

[PH 51-2023, amend filed 10/26/2023, effective 10/26/2023](#)

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HD 4-1987, f. 6-12-87, ef. 6-19-87

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