



Senate

General Assembly

File No. 665

January Session, 2025

Substitute Senate Bill No. 80

Senate, April 14, 2025

The Committee on Environment reported through SEN. LOPES of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE BURNING OF MEDICAL WASTE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section:

3 (1) "Hospital waste" has the same meaning as provided in 40 CFR
4 60.51c as of January 1, 2025;

5 (2) "Medical/infectious waste" has the same meaning as provided in
6 40 CFR 60.51c as of January 1, 2025;

7 (3) "Hospital/medical/infectious waste incinerator", "HMWI" or
8 "HMWI unit" has the same meaning as provided in 40 CFR 60.51c as of
9 January 1, 2025; and

10 (4) "Treated" means any hospital, medical or infectious waste that
11 was autoclaved or subjected to other technology that reduces or
12 eliminates the infectious properties of such waste.

13 (b) On and after the effective date of this section, no person shall
 14 incinerate treated or untreated hospital, medical or infectious waste or
 15 accept any such waste for incineration unless such person has a permit
 16 from the Department of Energy and Environmental Protection,
 17 pursuant to title 22a of the general statutes, that establishes
 18 requirements that are not less stringent than emission requirements
 19 established as of January 1, 2025, in 40 CFR 60, Subpart Ec, Table 1B,
 20 titled "Emissions Limits for Small, Medium, and Large HMWI at
 21 Affected Facilities, as Defined in Section 60.50c(a)(3) and (4)". In the
 22 event that more stringent state or federal standards for such facilities are
 23 adopted, such standards shall apply to any such incineration facility in
 24 the state. Any exemption contained in 40 CFR 60.50c(c) to 40 CFR
 25 60.50c(f), inclusive, shall not apply to the requisite emission standards
 26 under this section.

27 Sec. 2. (NEW) (*Effective from passage*) Notwithstanding any provision
 28 of title 22a of the general statutes, not later than one hundred eighty
 29 days after the effective date of this section, any owner or operator of a
 30 facility in the state that combusts any amount of treated or untreated
 31 hospital, medical or infectious waste shall operate continuous emissions
 32 monitors for mercury and hydrochloric acid, in addition to continuous
 33 sampling for dioxins and furans that shall be used to obtain back-to-
 34 back monthly samples. All data from such monitoring and sampling
 35 shall be posted by any such owner or operator on a public Internet web
 36 site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Department of Energy and Environmental Protection	GF - Cost	95,000	95,000
State Comptroller - Fringe Benefits ¹	GF - Cost	34,604	34,604
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Various State Agencies	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires any state agency incinerating treated or untreated hospital, medical, or infectious waste to have a Department of Energy and Environmental Protection (DEEP) permit. This results in an additional cost to DEEP, beginning in FY 26, associated with one full-time Air Pollution Control Engineer. Additional costs would include: an annual salary of \$85,000, corresponding fringe benefits of \$34,604 and other expenses of \$10,000, totaling \$129,604 annually. The Air Pollution Control Engineer would be responsible for conducting technical reviews and processing permit modifications, to be in compliance with the standards contained within the bill.

The bill could result in a potential revenue gain to the resource of the General Fund to the extent that additional permit modifications or new

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 40.71% of payroll in FY 26.

permits are issued under the bill.

Additionally, the bill results in a potential cost to the extent affected state agencies with medical waste disposal contracts experience increased contract costs due to the expanded regulations in the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, permit modifications and contract costs.

OLR Bill Analysis**sSB 80*****AN ACT CONCERNING THE BURNING OF MEDICAL WASTE.*****SUMMARY**

This bill requires anyone incinerating treated or untreated hospital, medical, or infectious waste, or accepting this waste for incineration, (i.e. incinerators) to have a Department of Energy and Environmental Protection (DEEP) permit that sets emissions requirements that are no less stringent than specified U.S. Environmental Protection Agency (EPA) standards. The bill's requirements apply to all applicable incinerators, including specified incinerators that are exempt from these EPA emission standards under federal regulation. Under the bill, if more stringent federal or state standards are established in the future, those standards will apply to these incinerators.

Under the bill, within 180 days of its passage, owners or operators of facilities burning any amount of this waste must (1) run continuous emissions monitors for mercury and hydrochloric acid and (2) continuously sample for dioxins and furans to get back-to-back monthly samples. These owners and operators must post the monitoring and sampling data on their websites.

EFFECTIVE DATE: Upon passage

APPLICABLE INCINERATORS

The bill's provisions apply to anyone incinerating treated (autoclaved or subjected to other technology that reduces or eliminates infectious properties) or untreated hospital, medical, or infectious waste, as those terms are defined in EPA regulations. Specifically, this is waste generated:

1. at a hospital, other than human corpses, remains, and anatomical

parts intended for interment or cremation (hospital waste); or

2. in diagnosing, treating, or immunizing human beings or animals, in conducting related research, or in producing or testing specified biologicals (e.g., cultures from medical labs, human pathological waste, and sharps), with certain exceptions (medical or infectious waste).

The bill additionally specifies that, for the purpose of these permits, its requirements apply to the following incinerators that are exempt from the EPA regulations described below:

1. co-fired combustors (units that incinerate hospital, medical, or infectious waste with other fuels or wastes, like municipal solid waste, where the hospital, medical, or infectious waste makes up 10% or less (by weight) of the fuel feed stream as measured on a quarterly basis), subject to certain notification and record keeping requirements;
2. combustors required to have a permit under the federal Solid Waste Disposal Act;
3. municipal waste combustors that meet certain federal applicability requirements; and
4. pyrolysis units (units that use external energy for the endothermic gasification of hospital, medical, or infectious waste).

Under the EPA regulations, additional incinerators are exempt from its emissions standards, specifically:

1. combustors that only incinerate pathological waste, low-level radioactive waste, or chemotherapeutic waste, subject to certain notification and record keeping requirements; and
2. cement kilns firing hospital, medical, or infectious waste.

EPA EMISSION REQUIREMENTS

Under the bill, the applicable incinerators must operate under a DEEP-issued permit that sets emissions requirements that are at least as stringent as those established in the specified EPA regulations as of January 1, 2025 (“Emissions Limits for Small, Medium, and Large HMWI at Affected Facilities, as Defined in Section 60.50c(a)(3) and (4)”;
40 C.F.R. § Pt. 60, Subpt. Ec, Tbl. 1B). (“HMWI” refers to hospital/medical/infectious waste incinerators, which includes any device that combusts hospital, medical, or infectious waste.)

These regulations generally set emissions limits for pollutants (particulate matter, carbon monoxide, dioxins or furans, hydrogen chloride, sulfur dioxide, nitrogen oxides, lead, cadmium, and mercury) that depend on the incinerator’s size. They specify requirements for measuring these emissions and demonstrating compliance.

BACKGROUND

DEEP Air Emissions Permits

DEEP issues a number of air quality permits under its existing statutory and regulatory authority. The agency’s new source review (NSR) permit program, in particular, regulates air emissions from new and modified stationary sources, including incinerators for which construction started on or after June 1, 2009, with certain exceptions. NSR permits are issued to an individual piece of equipment at a premises. The permit contains equipment design specifications; operational limitations; monitoring, record keeping, and reporting requirements; testing schedules; and emission limitations to ensure that, at a minimum, emissions comply with state and federal criteria and pollutant and hazardous air pollutant regulations, and that the proposed activity will not cause any significant deterioration of air quality.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 24 Nay 6 (03/24/2025)