

Senate Bill 139

Sponsored by Senator PATTERSON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act lets sharps and other solid waste be mixed in the same container, if some conditions are met. (Flesch Readability Score: 76.2).

Permits sharps and other solid waste to be consolidated in a single container, subject to certain requirements. Modifies requirements for sharps containers.

A BILL FOR AN ACT

1
2 Relating to infectious waste; amending ORS 459.390.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 459.390 is amended to read:

5 459.390. (1)(a) **Except as provided in paragraph (b) of this subsection**, infectious waste shall
6 be segregated from other wastes by separate containment at the point of generation.

7 **(b) A person may consolidate sharps and other solid waste into a single container, which**
8 **may be reusable, provided that:**

9 **(A) The container satisfies the requirements of subsection (3) of this section; and**

10 **(B) The entire contents of the container are managed as infectious waste in accordance**
11 **with ORS 459.386 to 459.405.**

12 **(c) Enclosures used for storage of infectious waste shall be secured to prevent access by unau-**
13 **thorized persons and shall be marked with prominent warning signs.**

14 (2) Infectious waste, except for sharps, shall be contained in disposable red plastic bags or con-
15 tainers made of other materials impervious to moisture and strong enough to prevent ripping, tear-
16 ing or bursting under normal conditions of use. The bags or containers shall be closed to prevent
17 leakage or expulsion of solid or liquid wastes during storage, collection or transportation.

18 (3) Sharps shall be contained for storage, collection[,] **and** transportation [*and disposal in*
19 *leakproof, rigid, puncture-resistant red containers that are taped closed or tightly lidded to prevent loss*
20 *of the contents. Sharps may be stored in such containers for more than seven days.*] **in containers**
21 **that satisfy the requirements for containing discarded sharps as described in 29 C.F.R.**
22 **1910.1030, as in effect on the effective date of this 2025 Act.**

23 (4) All bags, boxes or other containers for infectious waste and rigid containers of discarded
24 sharps shall be clearly identified as containing infectious waste.

25 (5) Infectious waste shall be stored at temperatures and only for times established by rules of
26 the Oregon Health Authority.

27 (6) Infectious waste shall not be compacted before treatment and shall not be placed for col-
28 lection, storage or transportation in a portable or mobile trash compactor.

29 (7) Infectious waste contained in disposable bags as specified in this section shall be placed for
30 collection, storage, handling or transportation in a disposable or reusable pail, carton, box, drum,

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 dumpster, portable bin or similar container. The container shall have a tight-fitting cover and be
2 kept clean and in good repair. The container may be of any color and shall be conspicuously labeled
3 with the international biohazard symbol and the words "Biomedical Waste" on the sides so as to
4 be readily visible from any lateral direction when the container is upright.

5 (8) Each time a reusable container for infectious waste is emptied, the container shall be thor-
6 oughly washed and decontaminated unless the surfaces of the container have been protected from
7 contamination by a disposable red liner, bag or other device removed with the waste.

8 (9) Trash chutes shall not be used to transfer infectious waste between locations where it is
9 contained or stored.

10 (10) Generators that produce 50 pounds or less of infectious waste in any calendar month shall
11 be exempt from the specific requirements of subsections (5), (7) and (8) of this section.

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