

"infectious waste" that is based, in part, on the presence of certain factors necessary to cause disease. The Environmental Protection Agency notes that for a waste to be infectious, it must contain pathogens with sufficient virulence and in sufficient quantity so that exposing a susceptible host to the waste could result in an infectious disease. However, the definition of "infectious waste" that is stated in subsection (a)(3) of this section does not take into account virulence or quantities of materials that cause it to be infectious.

9-228. RESERVED.

9-229. RESERVED.

PART III. SEWAGE SLUDGE

9-230. REGULATIONS OF DEPARTMENT.

(A) IN GENERAL.

(1) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ADOPT REGULATIONS TO CARRY OUT THIS PART III OF THIS SUBTITLE.

(2) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE MAY NOT ADOPT A REGULATION OR PART OF A REGULATION THAT DEALS WITH THE LAND APPLICATION OF SEWAGE SLUDGE WITHOUT THE APPROVAL OF THE DEPARTMENT OF AGRICULTURE.

(B) CONSIDERATIONS -- IN GENERAL.

IN ADOPTING REGULATIONS UNDER THIS PART III AND §§ 9-269 AND 9-270 OF THIS SUBTITLE, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL CONSIDER:

(1) ALTERNATIVE UTILIZATION METHODS;

(2) PATHOGEN CONTROL;

(3) ADVERTISING REQUIREMENTS FOR PUBLIC HEARINGS AND PUBLIC INFORMATION MEETINGS;

(4) PERFORMANCE BONDS, LIABILITY INSURANCE, OR OTHER SECURITY-MEASURES FORMS OF SECURITY;

(5) PROCEDURES FOR NOTIFYING UNITS OF LOCAL GOVERNMENT AND OTHER INTERESTED PARTIES; AND

(6) ADEQUATE STANDARDS FOR TRANSPORTING SEWAGE SLUDGE, INCLUDING REQUIREMENTS FOR ENCLOSING OR COVERING SEWAGE SLUDGE DURING TRANSPORTATION.