

Prevention of the Biological Risks

Legislative and statutory aspects

WASTE

Circular D.G.S. / D.P.P.R N 99/183

Of March 23rd, 1999

Relative to the implemented (operated) of the processes Cubicle (Garage, Dock) O3

And Occigerm ' (Sterigerms)

Of disinfections of the waste of activities of care

At infectious and assimilated risks

Reference texts:

Decree n°97-1048 of November 6th, 1997 concerning the elimination of the waste of activity of care at infectious and assimilated risks and anatomical details (rooms).

Local sanitary regulation (payment) (articles 88 and 164)

Circular n°53 of July 26th, 1991 relative to the implemented (operated) of the processes contaminated by the hospitals and assimilated establishments.

Ministry of employment and the solidarity

Ministry of the regional development and the environment

Head office of the health

Management of the prevention of the pollutions and the risks

The Minister of the employment and the solidarity

And

The Minister of the regional development and the environment

In

Ladies and Gentlemen the prefects of region

Ladies and Gentlemen the prefects of department

Regional management of the sanitary and social business

Local management of the sanitary and social business

For the attention of the regional sanitary engineers

For the attention of the local sanitary engineers (for execution)

The decree N 97-34 of January 15th, 1997, modified by the decree N 97-1205 of December 19th, 1997, clarifies that " the individual administrative decisions entering the field of the skills of the civil administrations of the State, with the exception of those concerning the civil servants, are taken by the prefect ". The infringements in this rule are the object, for the ministry of employment and the solidarity, the decree N 97-1185 of December 19th, 1997 which does not mention the approval of the devices of disinfections of the waste of activities of care, foreseen by the decree N 97-1048 of November 6th, 1997. This approval recovers from the competence of the prefect.

However, this arrangement can come into effect only after the publication of the order concerning the procedure of approval of the devices of disinfections foreseen by the decree of aforesaid November 6th, 1997. Looking forward to this publication, the capacities of the local sanitary regulation remain applicable and consequently, the possibility of breaking the obligation of incineration of the waste of activities of care, by Prefectorial order, taken in application of the article 164 of this regulation. The circular of July 26th, 1991 clarifies that the prefects can take an order of infringement for the devices of disinfections having been the object of a favourable opinion of the superior council of health service of France (C.S.H.P.F)..

We inform you that the C.S.H.P.F. emitted an opinion favourable to the use of the processes Cubicle O3 (proposed by the company Carba S.A and market by the company Cubicle O3 international)

and Occigerm ' (Sterigerms) during the session of January 12th, 1999. You will find

these notices in appendix to the present circular

The waste admitted on this type of installation is the waste of activities of care at infectious risks defined in the article R.44-1 of the code of the public health of which it is advisable to shield the waste susceptible to contain not conventional contagious agents. Besides, it is formally forbidden to introduce into these devices products cytotoxiques used for the treatment of cancers.

The process Cubicle (Garage, Dock) 03 (model H)

This device associates disinfections by the ozone (with addition of an acetic acid mixture and a peroxide of hydrogen) and a modification of the appearance of the waste by grinding.

The process Occigerm ' (model 12 litters)

This device associates disinfections by heating under pressure and a modification of the appearance of the waste by forming of pancakes. This principle was accepted by notices of the C.S.H.P.F. during the session of the 1st in October, 1997 (published in the Official Bulletin of the ministry of employment and the solidarity N 97/48 of December 16th, 1997).

The C.S.H.P.F. noticed that the parameters of functioning of the processes Cubicle (Garage, Dock) 03 and Occigerm ' allow to obtain in a reliable way a microbiological level of contagion lower than that of household refuse. The waste so pre-treated can be eliminated either by incineration, or by stake in Center of technical burying, according to the usual modalities relative to the urban residues. It is indeed advisable to exclude the techniques of stamping because of the characteristics and of the origin of this waste.

Would you please hold us informed about the difficulties which you could meet during the implemented of the present circular.

For the Minister and by delegation

For the General Manager of the health

The assistant of the sanitary wakefulness

Doctor Yves COQUIN

For the Minister and by delegation

The director of the prevention of the pollutions and the risks, delegated to the major risks

Philippe VESSERON