



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 17, 2026

Alyssa Hermon
Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, IL 62794

Reference No. 25-0119

Dear Ms. Hermon:

This is in response to your August 26, 2025 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of regulated medical waste (RMW). Specifically, you ask about sharps containers and transport of those containers by a private carrier. You provide a scenario where sharps are generated by a resident and taken to a county, municipal, or community waste collection center, and picked up by a commercial hauler. Your understating is that the sharps in the scenario provided do not meet the definition of household waste as stated in § 171.8 and must be transported as RMW as prescribed in § 173.134(c)(2).

We have paraphrased and answered your questions as follows:

- Q1. Are the sharps in the scenario provided no longer considered household waste, but instead considered RMW, once consolidated at a collection center and subsequently offered for transportation by a commercial carrier that is not associated with the local or State government?
- A1. Yes, provided the RMW meets the definition in § 173.134(a)(5), including the prohibition of use for medical waste containing a Category A infectious substance. The definition of household waste does not include consolidated shipments of household hazardous materials transported from collection centers. See definition of *household waste* in § 171.8.
- Q2. With respect to § 173.134(c)(2)(x), are sharps in containers 18-gallons or less considered RMW or household waste?

- A2. For purposes of § 173.134(c)(2)(x), sharps in containers 18-gallons or less are considered RMW. PHMSA defines “sharps” in § 173.134(a)(6) as any object *contaminated with a pathogen* or that *may become contaminated with a pathogen through handling or during transportation* and is also capable of cutting or penetrating the skin or a packaging material. Sharps include needles, syringes, scalpels, broken glass, culture slides, culture dishes, broken capillary tubes, broken rigid plastic, and exposed ends of dental wires. Thus, sharps known or reasonably expected to contain a pathogen must be classified as a Division 6.2 material and transported in accordance with HMR packaging requirements. Typically, material transported as RMW is directed to § 173.197 for authorized packaging, however, sharps may alternatively be transported as RMW in accordance with provisions of § 173.134(c)(2)(x). Furthermore, see exceptions available for RMW in § 173.134(c)(1).
- Q3. Are sharps in containers above 18-gallons considered RMW or a Category A or B infectious substance?
- A3. Sharps in containers above 18-gallons may be considered RMW, provided the RMW meets the definition in § 173.134(a)(5). See answers A1 and A2. Sharps classified and described as “UN 3291, Regulated medical waste, n.o.s., 6.2, PG II” are directed to § 173.197 for authorized packaging. Sharps in containers containing a Category A infectious substance must be classed as an infectious substance and assigned to UN2814, UN2900, or UN3549.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,



Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division



Illinois Environmental Protection Agency

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JB Pritzker, Governor

James Jennings, Acting Director

August 26, 2025

Mr. Shane Kelley
Director, Standards and Rulemaking Division
U.S. DOT/PHMSA (PHH-10)
1200 New Jersey Avenue, SE East Building, 2nd Floor
Washington, DC 20590

Re: Medical Waste Hauling

Mr. Kelley,

The Illinois Environmental Protection Agency, Materials Management and Compliance Section, requests a Letter of Interpretation regarding the shipment of household-generated medical waste. More specifically, we request clarification of the rules and regulations governing sharps transported by a commercial hauler.

As defined by 49 CFR 171.8, sharps that are generated by a resident and taken to a county, municipal or community waste collection center, and picked up by a commercial hauler are no longer considered a household waste. This then leads us to believe that this waste would be transported as Regulated Medical Waste (RMW) as stated in 49 CFR 173.134(c)(2).

Our thought process is the following: Because the household waste definition (49 CFR 171.8) excludes waste collected at a collection center, the sharps being dropped off to local government units would then be transported as RMW by a commercial hauler and must follow 49 CFR 173.134(c)(2).

Here are our questions:

1. Is our thought process correct in concluding that this waste would then be RMW once picked up by a commercial or 3rd party hauler that is not involved with the unit of local government or the State?
2. For those containers under 18-gallons, would these be considered RMW or household waste? (49 CFR 173.134(c)(2)(x)).
3. For those containers weighing above 18-gallons, would these be regulated as RMW or an Infectious Substance?

Thank you,

A handwritten signature in black ink that reads "Alyssa Hermon". The signature is written in a cursive, flowing style.

Alyssa Hermon
Materials Management and Compliance
Bureau of Land
Illinois EPA