



1550 Crystal Drive  
Suite 804  
Arlington, VA 22202  
T 202.244.4700

Submitted electronically via: [www.regulations.gov](http://www.regulations.gov)

April 22, 2022

Mr. Andrew Levinson  
Acting Director  
Directorate of Standards & Guidance  
Occupational Safety & Health Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Re: Occupational Exposure to COVID-19 in Healthcare Settings  
OSHA-2020-0004

Dear Mr. Levinson:

The Healthcare Waste Institute (HWI) of the National Waste & Recycling Association (NWRA) is pleased to provide comments on the proposed Occupational Exposure to COVID-19 in Healthcare Settings rule. The HWI represents manufacturers and service providers as well as other professionals in the healthcare waste management industry.

The Healthcare Waste Institute is an advocacy organization within NWRA, a not-for-profit trade group serving the interests of the solid and healthcare waste industries. The Institute supports private companies across the United States that manage healthcare waste, including regulated medical waste and infectious substances, through transportation and facility operations.

In June 2021, OSHA published an Emergency Temporary Standard (ETS) for healthcare and healthcare support service workers, Occupational Exposure to COVID-19. It is now seeking comment on certain specific topics and questions for the development of a final standard. The original ETS explicitly identifies medical waste handling services as part of healthcare support services.

Now OSHA is considering how to treat employers that engage in construction work in hospitals, long-term care facilities and other settings that are covered by the ETS. OSHA is considering clarifying this coverage and seeks comment on this approach. For example, OSHA may consider exceptions for construction employees working in isolated wings or other spaces where they would not be exposed to patients or other staff.

NWRA HWI – OSHA COVID regs

April 22, 2022

Page 2 of 2

HWI recommends that OSHA explicitly exempt medical waste management workers from the rule's requirements. In almost no instance will medical waste workers have prolonged, unprotected close contact with healthcare workers or patients. In many cases, the medical waste workers will service the facility through a non-public entrance and limit their interactions to collecting the waste from an aggregation location at the facility. Exceptions should be made for those workers.

This is particularly pressing because there is an ongoing shortage of drivers. The American Trucking Association has cited numerous issues contributing to the shortage including high average age of drivers, inability for drivers to pass drug tests given the current permissive climate with respect to marijuana, as well as driving records and criminal histories. Exacerbating that are limitations on hours of service, medical monitoring, declining workforce and pandemic-related issues. The barriers to entry for drivers are significant. HWI encourages OSHA to avoid adding any more barriers than strictly necessary.

HWI appreciates your consideration of our comments. HWI and its members would welcome the opportunity to discuss these and other concerns in further detail. Should you have any questions, please call Anne Germain at 202-364-3724 or e-mail at [agermain@wasterecycling.org](mailto:agermain@wasterecycling.org).

Very truly yours,

A handwritten signature in black ink that reads "Darrel K. Smith". The signature is written in a cursive, flowing style.

Darrel K. Smith  
President & CEO