Transportation/Hazardous Materials: U.S. Pipeline and Hazardous Materials Safety Administration Interpretive Letter Addressing Regulated Medical Waste



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The United States Pipeline and Hazardous Materials Safety Administration ("PHMSA") addressed in a March 17th Interpretive Letter the application of the federal Hazardous Materials Regulations ("HMR") to the transportation of regulated medical waste ("RMW"). See Reference No. 25-0119.

PHMSA was responding to an August 26, 2025 letter from the Illinois Environmental Protection Agency ("IEPA") inquiring about sharp containers and transport of those containers by a private carrier.

IEPA described a scenario in which:

… sharps are generated by a resident and taken to a county, municipal, or community waste collection center, and picked up by a commercial hauler.

IEPA sought to confirm its understanding that the sharps in this scenario 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).

PHMSA first addressed whether sharps in the scenario were 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.

PHMSA answers in the affirmative stating that 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.

PHMSA then addressed with respect to § 173.134(c)(2)(x), whether sharps in containers 18-gallons or less considered RMW or household waste?

PHMSA states that for purposes of § 173.134(c)(2)(x), sharps in containers 18-gallons or less are considered RMW. It cites the definition of "sharps" and notes that they are known or reasonably expected to contain a pathogen and must be classified as a Division 6.2 material and transported in accordance with HMR packaging requirements.

Finally, PHMSA addressed whether sharps in containers above 18-gallons are considered RMW or a Category A or B infectious substance?

PHMSA responds that sharps in containers above 18-gallons may be considered RMW, provided the RMW meets the definition in § 173.134(a)(5), and also cites the answers to the previous two questions. Further, it notes that 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. In addition, sharps in containers containing a Category A infectious substance must be classed as an infectious substance and assigned to UN2814, UN2900, or UN3549.

A copy of the Interpretive Letter can be found here.