

Athens, 8 February 2007

DEPARTMENT OF SOCIAL PROTECTION
Own-initiative investigation of the Ombudsman on the Management of
Hazardous Medical Waste (HMW) by Public Agencies

Non-application of the provisions of Joint Ministerial Decision (JMD) Electronic Reference no. 37591/2031 (Issue 1419 B/1-10-2003 of the Government Gazette) "Measures and terms for the management of medical waste by sanitary units", by which the measures, terms and procedures for the management of medical waste are determined, in such a way as to protect public health and the environment and ensure that the management of such waste is effectively controlled.

On 8 February 2007, the Ombudsman, Yorgos Kaminis, submitted to the Prime Minister and the President of Parliament with a copy to the Minister of Health and Social Solidarity who has competence for the matter, a special report (Article 3(5) of Law 3094/2003) on the Ombudsman's own-initiative investigation of the management of hazardous medical waste (HMW) by public agencies.

The investigation was prompted by citizens' complaints to the Ombudsman, media coverage of accusations that hazardous medical waste (HMW) was not being properly managed in Greece, a report by the Health and Welfare Services Inspectors' Body and a conference entitled "Administration, Economics and Health Policies" held under the auspices of the Ministry of Health and Social Solidarity, at which the Ombudsman was also represented.

The Ombudsman conducted on-the-spot inspections at six (6) public hospitals and at the hospital waste incineration unit of the Association of Communities and Municipalities in the Attica Region (EDSKNA). Specifically, inspections took place at:

- The Andreas Syngros Hospital for Venereal and Skin Diseases (23-2-2005)
- The General Hospital of Nikaia (12-5-2005)
- The E.D.S.K.N.A. hospital waste incineration unit in the Municipality of Ano Liosia (23-5-2005)
- The Agios Savvas Anti-Cancer Hospital of Athens (25-5-2005)
- The General University Hospital of Larissa (13-6-2005)
- The General Regional University Hospital of Irakleio (14-6-2006)
- The Rethymno Hospital (15-6-2006)
- The EDSKNA hospital waste incineration unit in the Municipality of Ano Liosia (2-10-2006)

The Ombudsman established that:

- The preparation of internal regulations for the management of hazardous medical waste (HMW) in Greece's health units (HUs) is not yet complete;
- In larger health units (HUs), more infectious waste (HMW-IC) is produced per bed than internationally;
- Greek hospitals employ different methods for the collection and delivery of HMW (plastic bags, cartons, etc.); there are complaints by representatives of HU employees that the means of collection are not watertight;

- In several cases, there was not enough space for collection and temporary storage of HMW;
- There is a great shortage of facilities for processing liquid infectious waste;
- Overfull, open bins are used to transfer HMW within HUs;
- The management of silver waste produced from x-ray laboratories of HUs is not checked from an environmental point of view; there are also doubts as to whether financial exploitation of the collected silver is optimised;
- Incinerators which are obsolete, do not conform to standard specifications or are unlicensed, operate within hospitals;
- State evaluation of HMW management at prefecture or regional level is inadequate;
- Potential risks to the environment and public health arise from the operation of the EDSKNA central incinerator; the facility simply does not have the capacity for effective storage/freezing of more than 12 tons of HMW per day.

The Ombudsman suggests that:

- The preparation of internal regulations for the management of hazardous medical waste (HMW) in the country's health units (HUs) should be expedited;
- HU employees should be trained in separating waste properly; examinations of HMW samples should be carried out regularly within HUs by individuals to whom the specific job has been assigned;
- The Ministry of Health and Social Solidarity should assess the most technically acceptable and economical solution for the collection and delivery of HMW, and provide HUs with the relevant guidelines for application;
- Where feasible, HUs should seek additional space that could be used for the temporary storage of HMW.
- HUs without freezers for the temporary storage of HMW before its final processing should make the necessary provision in their budgets to rectify the situation.
- The Ministry of Health and Social Solidarity should examine whether there are dangers to public health and primarily the health of persons carrying out maintenance on sewerage networks (in and around hospitals without functioning facilities for processing liquid infectious waste). Where such dangers exist, instructions should be given for the construction of processing facilities (where none exist) or for existing facilities to be put into operation; if no such danger exists, there is a case for re-examining the relevant provision of the joint ministerial decision according to which *'faeces and urine in the case of a given patient diagnosed by the attendant doctor as having a disease communicable by such excretions'* should be subject to special processing to eliminate bacteria;
- Hospital managers should take stricter measures to comply with legislation on the handling of HMW, with the aim of better protecting public health;
- The Ministries of Health and Finance should monitor and evaluate the management of silver waste produced by radiological laboratories in HUs; depending on the results, the possibility of putting such management under the supervision of a public agency should be examined. The Organisation of Public Materials Management is probably not an advisable solution, since it is not licensed to manage toxic waste and has expressed reservations regarding adherence to the old procedure for managing waste from radiological laboratories;
- Given the toxicity of silver, the legal framework should be adequately regulated and health units should be ordered to follow the procedures that exist for

industry (submission and approval of studies for the processing and disposal of liquid waste, preparation of chemical analyses, etc.);

- The performance of facilities for the processing of liquid waste produced by radiological laboratories should be evaluated. Furthermore, in the future, new or renewed decisions approving environmental requirements should make provision for environmental impact studies to be prepared and approved. No legislative regulation is required for such studies to be carried out for the above facilities since they are covered by provisions for health units (see JMD electronic reference no. 15393/2332/02: Issue B 1022/5-8-02 of the Government Gazette);
- The Ministry of Health and the Ministry for the Environment, Planning and Public Works should take measures in respect of hospitals where unlicensed incinerators are used, since there is danger to public health. Under certain conditions, the option of taking legal action (e.g. complaints by the health and public hygiene departments of prefectures), should not be excluded;
- Technical and financial studies should be prepared at prefecture or regional level. In these studies, the possibility of constructing central HMW processing facilities for each prefecture, region or hospital should be examined (provided the hospital serves a set minimum number of beds);
- The competent ministries (the Ministry of Health and the Ministry for the Environment, Planning and Public Works) should examine whether the EDSKNA central incinerator should be licensed to process 30 tons a day (the capacity laid down in a new JMD approving environmental requirements for incineration units, which is shortly to be signed), without, at the very least, an increase first being made in its storage and freezing capacity;
- Pollutants in the exhaust gases of the central incinerator should be inspected and measured regularly; such measurements should be performed in the presence of the bodies responsible for inspection (the Ministry for the Environment, Planning and Public Works, the Ministry of Health, the prefecture) either using a mobile measuring unit that must be provided by the State or – if the previous suggestion is technically and financially disadvantageous – with the assistance of certified mobile laboratories;
- A suitable mechanism or system for checking the quantity of halogenic organic substances (expressed as chlorine) in HMW should be installed at points suggested by the competent authorities (not necessarily within the central incinerator);
- Measures should be taken by the management of the EDSKNA central incinerator to ensure appropriate management of liquid waste resulting from its operation; if this is not done, sanctions should be imposed in accordance with articles 28, 29 and 30 of Law 1650/86 (Issue 160 A of the Government Gazette) on the protection of the environment.