



### Crosswalk – Proposed Provisions in the Code of Maryland Regulations Corresponding to 40 CFR Part 266 Subpart P

The Maryland Department of the Environment (MDE) is proposing to adopt regulations that are equivalent to the U.S. Environmental Protection Agency’s regulations on management of hazardous waste pharmaceuticals at healthcare facilities (40 CFR Part 266 Subpart P). This document identifies the Code of Maryland Regulations (COMAR) provisions that correspond to the various provisions in 40 CFR Part 266 Subpart P. The proposed text may be found in the Notice of Proposed Action published on May 16, 2025 in the Maryland Register (52:10 Md. R. 478), available on the website of the Maryland Division of State Documents (<https://dsd.maryland.gov/>).

Federal Provision in Subpart P of 40 CFR Part 266 (40 CFR 266.xxx)	Corresponding MD Provision (COMAR 26.13.xx.yy)	Notes
266.500 Definitions for this subpart.	26.13.01.03B; 26.13.10.32B	<p>26.13.10.32B lists specialized defined terms used in the hazardous waste pharmaceuticals regulations. The specific definitions for these terms are found in COMAR 26.13.01.03B. The following defined terms have been introduced in connection with the hazardous waste pharmaceuticals regulations:</p> <ul style="list-style-type: none"><li>(1) “Evaluated hazardous waste pharmaceutical”;</li><li>(2) “Hazardous waste pharmaceutical”;</li><li>(3) “Healthcare facility”;</li><li>(4) “Household waste pharmaceutical”;</li><li>(5) “Long-term care facility”;</li><li>(6) “Non-creditable hazardous waste pharmaceutical”;</li><li>(7) “Non-hazardous waste pharmaceutical”;</li><li>(8) “Non-pharmaceutical hazardous waste”;</li><li>(9) “Pharmaceutical”;</li><li>(10) “Potentially creditable hazardous waste pharmaceutical”; and</li><li>(11) “Reverse distributor”.</li></ul>

Hazardous Waste Pharmaceuticals - crosswalk between federal citations in 40 CFR Part 266 Subpart P and MD citations in COMAR.

Federal Provision in Subpart P of 40 CFR Part 266 (40 CFR 266.xxx)	Corresponding Maryland Provision (COMAR 26.13.xx.yy)	Notes
266.501 Applicability.	26.13.10.32C – G	
266.502 Standards for healthcare facilities managing non-creditable hazardous waste pharmaceuticals.		
266.502(a) – notification and withdrawal	26.13.10.38	
266.502(b) – training	26.13.10.39A	
266.502(c) – hazardous waste determination	26.13.10.39B	
266.502(d) – standards for containers	26.13.10.40A - D	
266.502(e) – container labeling	26.13.10.40E	
266.502(f) – accumulation time limit	26.13.10.41	
266.502(g) – land disposal restrictions	26.13.10.39C	
266.502(h) – management of rejected shipments	26.13.10.42	
266.502(i) – reporting requirements	26.13.10.43	
266.502(j) – record keeping	26.13.10.44	
266.502(k) – response to spills	26.13.10.39D	
266.502(l) – acceptance from off-site facilities	26.13.10.45	
266.503 Standards for healthcare facilities managing potentially creditable hazardous waste pharmaceuticals.	26.13.10.46	
266.503(a) – hazardous waste determination	26.13.10.46A	
266.503(b) – acceptance from off-site facilities	26.13.10.46B	
266.503(c) – prohibition of shipment	26.13.10.46C	
266.503(d) – biennial reporting exemption	26.13.10.46D	
266.503(e) – record keeping	26.13.10.46E	
266.503(f) – response to spills	26.13.10.46F	

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266.504 Healthcare facilities that are very small quantity generators for both hazardous waste pharmaceuticals and nonpharmaceutical hazardous waste that are not operating under this subpart. (266.504(a) – (c))	26.13.10.36	Optional provisions – qualifying facilities may elect to use these provisions.
266.504(d) – long-term care facilities with 20 beds or fewer	26.13.10.32D(2)	
266.505 Prohibition on sewerage hazardous waste pharmaceuticals.	26.13.10.33	Applies to all healthcare facilities with respect to hazardous waste pharmaceuticals.
266.506 Conditional exemption for hazardous waste pharmaceuticals that are also controlled substances and household waste pharmaceuticals collected by an authorized collector.	26.13.10.34	
266.507 Residues of hazardous waste pharmaceuticals in empty containers.	26.13.10.35	Addresses stock, dispensing, and unit-dose containers; syringes; intravenous (IV) bags; and other containers, including delivery devices.
266.508 Shipping non-creditable hazardous waste pharmaceuticals from a healthcare facility or evaluated hazardous waste pharmaceuticals from a reverse distributor.	26.13.10.47	
266.509 Shipping potentially creditable hazardous waste pharmaceuticals from a healthcare facility or a reverse distributor to a reverse distributor.	26.13.10.48	
266.510 Standards for the management of potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals at reverse distributors	26.13.10.49 26.13.47D (pre-transport requirements)	

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