



**MINNESOTA POLLUTION CONTROL AGENCY
PROGRAM MANAGEMENT DECISION MEMORANDUM**

ISSUE: MPCA Policy on Infectious Waste (IW) Regulation

EFFECTIVE DATE: 2/1/06

DECISION

The Minnesota Pollution Control Agency (MPCA) is formally documenting necessary and sufficient procedures in the IW regulatory program. This memorandum reflects regulatory policy priorities. No changes will be made to the regulations at this time.

RELEVANT STATUTES AND RULES

- Minn. Stat. § 116.76 – 116.83
- Minn. R. 7035.9100 – 7035.9150

RATIONALE

The MPCA's IW Program has steadily declined in priority due to limited resources and the lack of recent environmental and public health problems associated with it. Since other state agencies have rules touching on aspects of IW, some regulatory oversight is being duplicated. Several counties have active IW inspection programs, which decreases the importance of an MPCA field presence. MPCA solid waste staff and management met with stakeholders to discuss the most important issues with maintaining adequate IW regulation. This decision takes their concerns into account.

IMPLEMENTATION

The following describes prioritization of IW regulatory activities.

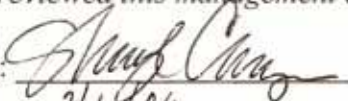
Priority will be placed on tracking financial assurance for storage and decontamination facilities to ensure that any environmental problems will be paid for by responsible parties. Priority will also be given to reviewing IW management plans for storage and decontamination facilities, and forwarding them to the county in which they are located. Another important activity is regulatory assistance, which will be given to both the public and regulated facilities when requested. The MPCA will continue to regulate IW disposal via Industrial Solid Waste Management Plans for landfills. The MPCA considers meeting with other regulating entities and key stakeholders in order to remain current on IW issues to be an important activity. This will be done on an annual basis.

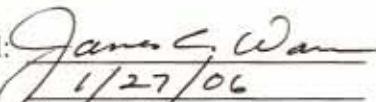
Due to duplication of regulatory oversight with the Minnesota Department of Transportation regarding infectious waste transport, low priority will be placed on IW transportation regulation. Resources will not be fully devoted to the issuance or reissuance of transporter identification numbers. Similarly, due to existing worker safety requirements contained in the Occupational Safety and Health Administration regulations, and existing hazardous and solid waste regulations that require generators to properly characterize and dispose of their waste, low priority will be given to generator regulation. Since facilities will be identified with the submission of IW management plans, priority will not be placed on issuing or reissuing identification numbers.

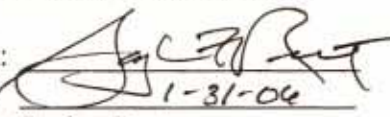
Due to the lack of environmental or public health problems in recent years, there is currently no need for routine inspections by the MPCA. Complaints that are received will be forwarded to counties for their inspection and compliance, with the MPCA staff available on an as-needed basis.

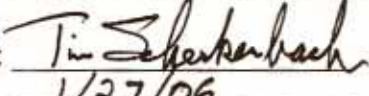
APPROVAL

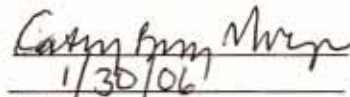
I have reviewed this management decision and I concur.

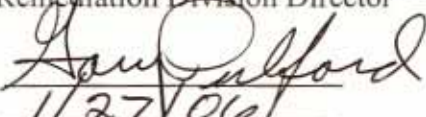
Signed: 
Date: 2/1/06
Name: Gordon Wegwart
Title: Assistant Commissioner

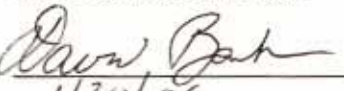
Signed: 
Date: 1/27/06
Name: James Warner
Title: Industrial Division Director


Signed: 
Date: 1-31-06
Name: Gaylen Reetz
Title: Municipal Division Director

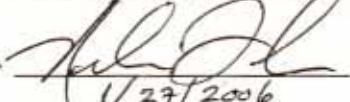
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Date: 1/27/06
Name: Tim Scherkenbach
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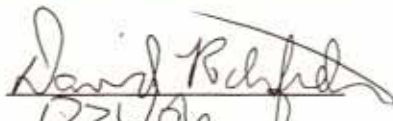
Signed: 
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Name: Cathy Moeger
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Name: Gary Pulford
Title: Manager - Policy, LGA, and Solid Waste Section

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Date: 1/30/06
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Name: Michael Tibbetts, Manager
Title: Manager - Land and Water

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Name: Nelson French
Title: Legislative Relations

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Name: David Richfield
Title: Supervisor - Rules and Land Policy Unit