



Infectious Waste

Management guidance for transporters

What is infectious waste?

Infectious waste is waste that poses an environmental danger due to its *biological* risk. **Pathological** waste also poses a *biological* risk and is regulated the same as infectious waste in Minnesota. Both are different from **hazardous** waste, which poses an environmental danger due to its *chemical* risk. All three types of waste are regulated by the Minnesota Pollution Control Agency (MPCA).

For a detailed discussion of exactly what is and isn't regulated as infectious waste in Minnesota, see MPCA fact sheet #w-sw4-30, [Infectious Waste – Management guidance for generators](http://www.pca.state.mn.us/publications/w-sw4-30.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-30.pdf>.

Who is a regulated infectious waste transporter?

Table 1: Regulated infectious waste transporters in Minnesota

Commercial infectious waste transporters

Businesses or government agencies that transport, for profit, regulated infectious waste that they did not generate, unless exempted. Commercial infectious waste transporters must register with the MPCA.

MPCA fact sheet #w-sw4-34, [Infectious Waste – Approved waste management vendors and systems](http://www.pca.state.mn.us/publications/w-sw4-34.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-34.pdf> provides a list of registered commercial infectious waste transporters.

Exempt infectious waste transporters*

The following infectious waste transporters are not subject to the MPCA's commercial infectious waste transporter requirements if they comply with the exemption conditions noted:

- U.S Postal Service
- Infectious waste generators transporting their own waste. This category includes businesses that generate infectious waste at off-site locations, such as ambulances, home health agencies and trauma clean-up services.
- Any party transporting regulated infectious waste only at-cost or less, though the MPCA still recommends such parties register with the MPCA to reduce confusion among generators.
- Any party transporting only household infectious waste. For more information about what qualifies as household infectious waste, see MPCA fact sheet #w-sw4-30, [Infectious Waste – Management guidance for generators](http://www.pca.state.mn.us/publications/w-sw4-30.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-30.pdf>.

*Though exempt from the MPCA's requirements, any of these parties may still be regulated by MNOSHA under the BBP or by the DOT under the HMR.

Who else regulates infectious waste?

This document is intended to provide guidance only on requirements under Minnesota Infectious Waste Statutes and Rules found at Minnesota Statutes, § Chapter 116, and Minnesota Rules Chapter 7035, administered by the MPCA. Infectious waste may also be regulated as:

- Regulated waste, also known as *biohazardous waste*, under the Federal Bloodborne Pathogens Standard (BBP) found at 29 CFR 1910.1030 and administered by the Minnesota Department of Labor and Industry, Occupational Safety and Health Division (MNOSHA).

- Regulated Medical Waste (RMW) under the Federal Hazardous Materials Regulations (HMR) found at 49 CFR 173.134, administered by the U.S. Department of Transportation (DOT).

How do I register as a commercial infectious waste transporter?

All commercial infectious waste transporters must register with the MPCA before transporting regulated infectious waste in Minnesota. To register, prepare and submit an **Infectious Waste Management Plan** to the MPCA. The plan must include the:

- Corporate identity of the transporter that is registered with the Minnesota Secretary of State to do business in Minnesota.
- Addresses of the principal place(s) of business from which the transport in Minnesota will operate. These addresses are where the trucks operating in Minnesota will be based, such as transfer facilities or garages. These sites do not need to be located in Minnesota.
- Types of infectious waste intended to be transported.
- Method of receiving waste that ensures that infectious wastes are properly identified and packaged and not comingled with other wastes, including hazardous waste. For example, waste acceptance criteria for customers and contract terms requiring compliance with those criteria.
- Description of how infectious waste will be packaged and labeled in transport.
- BBP exposure control plan, or the steps taken to minimize potential employee exposure during loading and unloading.
- Methods used to disinfect reusable containers.
- Systems to prevent putrefaction of infectious waste.
- Employee training in the Infectious Waste Management Plan and relevant elements of the HMR.
- Spill response procedures and equipment.
- Procedures to ensure the transporter does not hold infectious waste at any site for more than 48 hours (72 hours over a weekend) except in the course of transportation. If infectious waste will be held for longer not in transport, then a concurrent application for certification of the Infectious Waste Management Plan for an off-site infectious waste storage facility must be included.
For more information on certification as an off-site storage facility, see MPCA fact sheet #w-sw4-32, [Infectious Waste – Management guidance for storage, decontamination and disposal facilities](http://www.pca.state.mn.us/publications/w-sw4-32.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-32.pdf>.
- Identity, location, and contact staff for all infectious waste storage, decontamination, and disposal facilities to be used.
- Name of the designated individual responsible for implementing the management plan.
- Authorized signature of the designated individual or the transporter's chief executive officer.
- Date of the version of the plan submitted.

The MPCA no longer requires or provides an application form. You may submit management plans to the MPCA in hard copy form or via fax or e-mail. If submitted electronically, include an image of the required signature. Contact the MPCA to find out who the current staff person to applications to is. The MPCA is currently waiving commercial transporter registration fees.

Keep a printed or electronic copy of the plan and the registration issued by the MPCA at your principal place of business.

Currently, the MPCA issues commercial transporter registrations which are valid until revoked by the MPCA. However, you must submit a revised management plan whenever there is a substantive change to the previously submitted plan, or upon request of the MPCA or county authority. Comply with your registered plan.

What are a registered transporter's requirements during transport?

All transportation of RMW in commerce by any party must comply with any applicable packaging, labeling, shipping paper, or other requirements of the HMR. Transporting RMW in containers or bulk outer packages that do not meet the requirements of the HMR, as referenced in 49 CFR 173.197, including closure, is prohibited.

Immediately respond to and report any release of RMW from its packaging during transport to the Minnesota Duty Officer at 651-649-5451. In addition, submit a written report to the DOT within 30 days of the discovery of the incident.

The MPCA no longer requires external marking of infectious waste transport vehicles nor assigns individual vehicle numbers. Transporters must continue to comply with any applicable DOT vehicle markings required under the HMR.

Are there additional requirements for Ebola-contaminated waste?

The MPCA will allow Ebola-contaminated waste to be transported equivalent to other regulated infectious wastes without additional requirements.

However, the DOT has interpreted that wastes that may reasonably be contaminated with the Ebola virus are Category A Infectious Substances under the HMR and not RMW. Transporters of Category A Infectious Substances must meet one of the following:

- Comply with the full packaging requirements specified in the HMR for Category A Infectious Substances.
- Obtain party status to Special Permit #16279 from the DOT and comply with the conditions of the Special Permit.
- Follow any other requirements issued by the DOT in place of these options.

Where can regulated infectious waste be transported?

Regulated infectious waste may only be transferred to:

- Infectious waste storage, decontamination, or disposal facilities in Minnesota certified by the MPCA.
- Infectious waste storage, decontamination, or disposal facilities in another state approved by that state's state regulatory agency.
- Other sites owned or operated by the original waste generator.
- Other transporters registered with the MPCA, if the transfer will result in subsequent transportation of infectious waste within Minnesota.
- (only if the generator is an eligible partially exempt regulated infectious waste generator)
A licensed Minnesota hospital. For more information on partially exempt regulated infectious waste generators, see MPCA fact sheet #w-sw4-30, [Infectious Waste – Management guidance for generators](http://www.pca.state.mn.us/publications/w-sw4-30.pdf), at <http://www.pca.state.mn.us/publications/w-sw4-30.pdf>.

Note: The Minnesota Department of Health no longer issues management plan-acknowledgment cards to infectious waste generators. This means that registered infectious waste transporters may now accept properly packaged and labeled infectious waste from any generator.

More information

Guidance and requirements in this fact sheet were compiled from Minnesota Statutes, Chapter § 116, and Minnesota Rules, Chapter 7035, and incorporates regulatory interpretation decisions made by the MPCA on May 21, 2010; September 20, 2010; April 15, 2011; May 3, 2011; March 8, 2012; February 5, 2015; and February 10, 2015. Visit the Office of the Revisor of Statutes at <https://www.revisor.mn.gov/pubs> to review statutes and rules.

For more information on hazardous and dual waste, see the MPCA hazardous waste publications website at <http://www.pca.state.mn.us/waste/pubs/business.html>.

Address questions regarding the BBP to MNOSHA. Address questions regarding the Federal HMR to the U.S. DOT or Minnesota DOT. Free, confidential, non-enforcement compliance assistance is also available from the MPCA's Small Business Environmental Assistance Program (SBEAP).

Immediately report all releases of infectious waste during transport to the Minnesota Duty Officer.

Minnesota Pollution Control Agency

Toll free (outstate only) 1-800-657-3864
Metro 651-296-6300
Website..... <http://www.pca.state.mn.us>

Minnesota Technical Assistance Program

Toll free (outstate only) 1-800-247-0015
Metro 612-624-1300
Website..... <http://www.mntap.umn.edu/>

Small Business Environmental Assistance Program

Toll free..... 1-800-657-3938
Metro 651-282-6143
Website..... <http://www.pca.state.mn.us/sbeap/>

Minnesota Duty Officer

Toll free (statewide) 1-800-422-0798
Metro 651-649-5451

Minnesota OSHA

Toll free (statewide)..... 1-800-342-5354
Metro 612-284-5005
Website.. <http://www.dli.mn.gov/mnosha.asp>

Minnesota Department of Transportation

Hazardous materials 651-215-6330
Website <http://www.dot.state.mn.us/cvo/>

U.S. Department of Transportation

Hazardous materials 1-800-467-4922
Website.. <http://www.phmsa.dot.gov/hazmat>