

Infectious waste for facilities

What is infectious waste?

Infectious waste, sometimes incorrectly referred to as *biohazardous waste*, *hospital waste*, *medical waste*, or *red bag waste* is waste that poses a human health and environmental risk due to its biological characteristics. Infectious waste in Minnesota is regulated by the Minnesota Pollution Control Agency (MPCA).

For more information on identifying infectious waste and the infectious waste-related terminology used in this fact sheet, see MPCA fact sheet #w-sw4-30, Infectious waste for generators, at:
<https://www.pca.state.mn.us/sites/default/files/w-sw4-30.pdf>

What is a regulated infectious waste facility?

Storage facility: Any site not operated by the original generator of regulated infectious waste where the waste is held for more than 48 hours (72 hours if over a weekend) other than in the necessary course of transportation. Storage facilities include structures and vehicles used for storage.

Decontamination facility: Any site not operated by the original generator of regulated infectious waste where the waste is treated to render it biologically safe to handle as an industrial solid waste.

Infectious waste facilities in Minnesota must be *certified* by the MPCA. See [How does a facility become certified?](#) on page 2. Facilities may also be subject to the [other regulations](#) discussed below.

What are not regulated infectious waste facilities?

- Generators storing or decontaminating only their own infectious waste at a site they operate.
- Any management of household infectious waste.
- Wastewater treatment facilities treating liquid infectious wastes under a National Pollutant Discharge Elimination System (NPDES) permit.

What other regulations may apply to infectious waste?

In addition to the requirements in this fact sheet, infectious waste storage or decontamination may also simultaneously be regulated as:

- *Regulated waste*, also commonly but incorrectly referred to as *biohazardous waste*, under the Federal Bloodborne Pathogens Standard (BBP) administered by the U.S. Occupational Safety & Health Administration (OSHA) and the Minnesota Department of Labor and Industry, Occupational Safety and Health Administration division (MNOSHA). For questions on regulated waste requirements, contact MNOSHA. See [More information](#) on page 3.
- *Regulated medical waste (RMW)*, under the Federal Hazardous Materials Regulations (HMR) administered by the U.S. Department of Transportation (DOT) and the Minnesota Department of Transportation (MnDOT), when in or being prepared for transport in commerce. For questions on regulated medical waste requirements, contact MnDOT. See [More information](#) on page 3.

How does a facility become certified?

To apply for certification of an infectious waste facility by the MPCA, submit an *infectious waste management plan* with all of the information below to the MPCA via e-mail to: hw-licensing.pca@state.mn.us

Currently, the MPCA is issuing infectious waste facility certifications which are valid until revoked by the MPCA. However, you must comply with your certified infectious waste management plan. Therefore, prior to making any substantive changes to the facility operations described in your certified plan, you must first submit a revised plan to the MPCA.

Certified infectious waste facilities do not need to obtain a solid waste permit or permit-by-rule from the MPCA for their infectious waste operations. Facilities do remain subject to any applicable air quality permitting requirements for emissions, such as from autoclaves, incineration, or heating activities.

There is no standard form, and the MPCA is not currently collecting an application fee. Do not restate regulatory requirements or copy and paste text from the Minnesota Rules, Minnesota Statutes, or this fact sheet. Instead, clearly and in detail describe how you will meet the applicable requirements, including site-specific procedures.

The information on this page must be submitted for all facilities. In addition, the [Storage facility](#) information and the [Decontamination facility](#) information on page 3 must also be submitted for either type of facility.

All facilities:

- Corporate identity of the facility owner registered with the Minnesota Secretary of State to do business in Minnesota. If the facility operator is different than the owner, the same information for the operator.
- Facility street and mailing address(es).
- Version date of the infectious waste management plan.
- Name and contact information of the individual response for implementing the infectious waste management plan
- Types of infectious waste intended to be handled at the facility.
- Method of receiving waste that ensures that infectious wastes are properly identified and packaged and not comingled with other wastes, including hazardous waste, such as waste acceptance criteria for customers and contract terms requiring compliance with those criteria.
- Procedures for handling rejected wastes, such as hazardous waste pharmaceuticals inadvertently received at the facility with infectious waste, including procedures for reporting and final disposition.
- Description of how infectious waste will be packaged and labeled at the facility.
- BBP exposure control plan or its equivalent.
- Methods used to disinfect reusable containers, if any will be used, and facility equipment.
- Methods to prevent putrefaction of infectious waste, such as same-day decontamination.
- Planned employee training, including instruction in the infectious waste management plan.
- Spill response procedures and equipment. Spill procedures must include immediate report of any release to the Minnesota Duty Officer.
- Identity and location of all other infectious waste facilities to be used subsequent to the facility, including contingency facilities to which infectious waste will be redirected during a facility shutdown.
- Documentation that operators of each of the infectious waste facilities identified above have agreed to accept infectious waste from the facility.
- Maximum length of time that infectious waste may be held at the facility before being decontaminated or shipped off-site. If this time could be more than 48 hours (72 hours over a weekend), then the storage facility information on page 3 must also be submitted.

Storage facility: (in addition to the [All facilities](#) information on page 2)

- Maximum volume of infectious waste that may be stored at the facility. Government-operated storage facilities that will store less than 100 pounds of infectious waste do not need to submit the following estimated closure cost or financial assurance instruments information.
- Estimated closure cost of the facility. Include a per-unit cost for transport, decontamination, and disposal by identified third parties of the maximum volume of infectious waste that may be stored.
- Financial assurance instrument(s) for at least the estimate closure cost. Acceptable financial assurance instruments include currency or other securities physically deposited with the State of Minnesota solely for this purpose; a surety bond from an accepted surety company, or a letter of credit from a federally or Minnesota-regulated institution.

Decontamination facility: (in addition to the [All facilities](#) information on page 2)

- Decontamination method(s) to be used at the facility. The methods must render the infectious waste biologically safe to be managed as industrial solid waste. Shredding, binding waste into a matrix, or enclosing waste into a sealed container are not considered decontamination methods.
- Decontamination indicators and methods to be used to verify decontamination at the facility. Indicators must be at least as protective as *Geobacillus stearothermophilus* or *Bacillus atrophaeus* spores.
- Identity and location of all solid waste facilities at which decontaminated waste will be disposed.
- Documentation that operators of each of the solid waste facilities above have agreed to accept decontaminated waste from the facility.

What operational requirements must I meet?

Comply with your certified infectious waste management plan. Submit a revised plan to the MPCA prior to making any substantive changes to the facility operations described in your certified plan.

Do not treat any hazardous waste, such as unevaluated pharmaceuticals, without a hazardous waste permit. Report all inadvertently received hazardous waste to the MPCA within 15 days of receipt, and ensure it is forwarded to an appropriate permitted hazardous waste disposal facility within 60 days.

More information

Guidance and requirements in this fact sheet were compiled from Minnesota Statutes, Chapter § 116, and Minnesota Rules, Chapter 7035. To review statutes and rules, visit the Office of the Revisor of Statutes at: <https://www.revisor.mn.gov/>

The MPCA's Small Business Environmental Assistance Program (SBEAP) offers free, confidential regulatory compliance assistance. The Minnesota Technical Assistance Program (MnTAP) can help reduce your waste.

Minnesota Pollution Control Agency

Toll free..... 800-657-3864
Statewide..... 651-296-6300
<https://www.pca.state.mn.us/>

Minnesota Department of Labor and Industry

Toll free 877-470-6742
Statewide 651-284-5050
<https://www.dli.mn.gov/>

Small Business Environmental Assistance Program

Toll free..... 800-657-3938
Statewide..... 651-282-6143
<https://www.pca.state.mn.us/>

Minnesota Department of Transportation

Toll free 800-657-3774
Hazardous materials 651-215-6330
<https://www.dot.state.mn.us/>

Minnesota Technical Assistance Program

Toll free..... 800-247-0015
Statewide..... 612-624-1300
<http://www.mntap.umn.edu>