

Indiana Department of Environmental Management
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Title: Guidance on Direct Transfer of Infectious Waste at Non-permitted Transfer Operations

Identification Number: WASTE-0025-NPD

Date Originally Adopted: January 20, 1998

Dates Revised: None

Other Policies Repealed or Amended: None

Citations Affected: IC 13-11-2-235; IC 16-41-16-4; 410 IAC 1-3-24

Brief Description of Subject Matter: SEA 478 recently modified the definition of "transfer station" to exclude waste transfer operations where packaged infectious waste is directly transferred from one vehicle to another. As a result, operations qualifying for this exclusion will no longer need a transfer station permit. The Solid Waste Facilities Branch has received inquiries concerning when this exclusion applies and how such operations should be conducted. This nonrule policy document addressed these concerns.

This nonrule policy document is intended solely as guidance and does not have the effect of law or represent formal Indiana Department of Environmental Management (IDEM) decisions or final actions. This nonrule policy document shall be used in conjunction with applicable laws. It does not replace applicable laws, and if it conflicts with these laws, the laws shall control. A revision to this nonrule policy document may be put into effect by IDEM once the revised nonrule policy document is made available for public inspection and copying. IDEM will submit revisions to the Indiana Register for publication.

GUIDANCE ON DIRECT TRANSFER OF INFECTIOUS WASTE AT NON-PERMITTED TRANSFER OPERATIONS

Senate Enrolled Act No. 478, passed during the 1997 regular session of the Indiana Legislature, amended the definition of "transfer station" to exclude transfer operations where:

1. infectious waste (as defined in IC 16-41-16-4) is transferred directly between two (2) vehicles;
2. infectious waste is packaged in compliance with 410 IAC 1-3-24; and
3. packages of infectious waste are not opened at any time during the transfer.

IDEM considers an infectious waste transfer operation to have qualified for this exclusion (and thus exempt from needing a transfer station permit under 329 IAC 11) if it meets the above requirements and the following criteria for direct transfer:

1. if the vehicle receiving the infectious waste is refrigerated, the vehicle is in route to a legal treatment, storage or disposal* facility within seven (7) days of the date when the vehicle began to be loaded with infectious waste, or

2. if the vehicle receiving the infectious waste is not refrigerated, the vehicle is in route to a legal treatment, storage or disposal* facility within 72 hours of the time when the vehicle began to be loaded with infectious waste, and
3. only infectious waste properly packaged in accordance with 410 IAC 1-3-24 is included in the direct transfer.

**Please note that infectious waste can be disposed of in Indiana only after treatment in accordance with 410 IAC 1-3-26.*

Compliance with the timeframes specified will be deemed as complying with prevention of rapid microbial growth while allowing a reasonable timeframe for accumulation of a truck load of waste. In-truck storage longer than the time frames given above is not considered direct transfer for purposes of transportation of infectious waste in accordance with IC 13-11-2-235, and may be required to obtain a transfer station permit.

Any in-truck storage during the allowable transfer period must comply with the storage requirements outlined in 410 IAC 1-3-25, which requires that a person storing infectious waste before disposal shall:

1. store infectious waste in a secure area that:
 - a. is locked or otherwise secured to eliminate access by or exposure to the general public;
 - b. affords protection from adverse environmental conditions and vermin; and
 - c. has a prominently displayed biohazard symbol;
2. store infectious waste in a manner that preserves the integrity of the container, and is not conducive to rapid microbial growth and putrefaction, and
3. disinfect reusable containers for infectious waste each time that they are emptied, unless the surfaces of the reusable containers have been protected from contamination by disposable liners, bags or other devices that are removed with the infectious waste.

Vehicles storing infectious waste during the allowable transfer periods should thus be closed, locked and placarded with a biohazard symbol. Infectious waste containers should be placed and stacked so as to prevent damage during direct transfer operations and transit. Vehicles storing infectious waste during the allowable transfer periods must be monitored for leakage of fluids and any leaks should be corrected and reported immediately.

Infectious waste transfer operations shall not take any action in violation of IC 13-30-2-1, any applicable requirements of 410 IAC 1-3, or any other applicable local, state and Federal regulations.

If you need additional information, or have any questions or concerns, please contact staff of the Solid Waste Permits Section, Office of Land Quality, at 317-232-8871 or 317-232-7200.