

**TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE M: BIOLOGICAL MATERIALS
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY**

**PART 1450
PROCEDURES FOR OPERATION OF THE POTENTIALLY INFECTIOUS
MEDICAL WASTE TRANSPORTER FEE SYSTEM**

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AUTHORITY: Implementing and authorized by Section 56.6 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1056.6, including P.A. 87-1097, effective January 1, 1993) [415 ILCS 5/56.6].

SOURCE: Adopted at 17 Ill. Reg. 20268, effective November 15, 1993; amended at 33 Ill. Reg. 6515, effective April 23, 2009.

SUBPART A: GENERAL PROVISIONS

Section 1450.100 Definitions

Except as stated in this Section, the definition of words or terms in this Part shall be the same as those used in the Act.

- a) "Act" means the Environmental Protection Act [415 ILCS 5].
- b) "Designated facility" means a facility that treats, stores, transfers or disposes of PIMW.
- c) "*Potentially infectious medical waste*" or "*PIMW*" –
 - 1) *means the following types of waste generated in connection with the diagnosis, treatment (i.e., provision of medical services), or immunization of human beings or animals; research pertaining to the provision of medical services; or the production or testing of biologicals:*
 - A) *Cultures and stocks. This waste shall include but not be limited to cultures and stocks of agents infectious to humans, and associated biologicals; cultures from medical or pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live or attenuated vaccines; or culture dishes and devices used to transfer, inoculate, or mix cultures.*
 - B) *Human pathological wastes. This waste shall include tissue, organs, and body parts (except teeth and the contiguous structures of bone and gum), body fluids that are removed during surgery, autopsy, or other medical procedures; or specimens of body fluids and their containers.*
 - C) *Human blood and blood products. This waste shall include discarded human blood, blood components (e.g., serum and plasma), or saturated material containing free flowing blood or blood components.*
 - D) *Used sharps. This waste shall include but not be limited to discarded sharps used in animal or human patient care, medical research, or clinical or pharmaceutical laboratories; hypodermic, intravenous, or other medical needles; hypodermic or intravenous syringes; Pasteur pipettes; scalpel blades; or blood vials. This waste shall also include but not be limited to other types of broken or unbroken glass (including slides and cover slips) in contact with infectious agents.*
 - E) *Animal waste. Animal waste means discarded materials, including carcasses, body parts, body fluids, blood, or bedding originating from animals inoculated during*

research, production of biologicals, or pharmaceutical testing with agents infectious to humans.

- F) *Isolation waste. This waste shall include discarded materials contaminated with blood, excretions, exudates, and secretions from humans that are isolated to protect others from highly communicable diseases. "Highly communicable diseases" means those diseases identified by the Board in rules adopted under Section 56.2(e) of the Act.*
 - G) *Unused sharps. This waste shall include but not be limited to the following unused, discarded sharps: hypodermic, intravenous, or other needles; hypodermic or intravenous syringes; or scalpel blades.*
- 2) *does not include:*
- A) *Waste generated as general household waste;*
 - B) *Waste (except for sharps) for which the infectious potential has been eliminated by treatment; or*
 - C) *Sharps that meet both of the following conditions:*
 - i) *The infectious potential has been eliminated from the sharps by treatment; and*
 - ii) *The sharps are rendered unrecognizable by treatment. [415 ILCS 5/3.360]*
- d) "Tare weight" means the weight of a reusable shipping container that is not permanently disposed of with the PIMW.
- e) "Transporter" means a person engaged in the off-site transportation of PIMW by highway or water.
- a) (Source: Amended at 33 Ill. Reg. 6515, effective April 23, 2009)

Section 1450.101 Applicability

This Part applies to:

- a) *Transporters of PIMW required to have a permit under Section 56.1(f) of the Act and transporters of PIMW not required to have a permit under Section 56.1(f)(1)(A) of the Act if the PIMW is transported to a site or facility not owned, controlled, or operated by the transporter; and*
- b) *PIMW storage sites or treatment facilities receiving PIMW if the fee has not been previously paid by a transporter. [415 ILCS 5/56.6(a)]*

(Source: Amended at 33 Ill. Reg. 6515, effective April 23, 2009)

Section 1450.102 Exemptions from PIMW Transporter Fee System

The PIMW transporter fee payment provisions in this Part shall not apply to:

- a) transporters of PIMW not required to have a permit under Section 56.1(f)(1)(A) of the Act if the PIMW is transported to a site or facility owned, controlled, or operated by the transporter; or
- b) noncommercial transportation of less than 50 pounds of PIMW at any one time; or
- c) transporters when the fee has been paid by another transporter who previously transported the PIMW; or
- d) the U.S. Postal Service; or
- e) a person transporting PIMW to a hospital when the person is a member of the hospital's medical staff.

Section 1450.103 Retention of Records

Copies of all records required to be kept under this Part shall be retained by the transporter for three years and shall be made available at the transporter's principal place of business in Illinois or corporate headquarters during normal business hours for inspection and photocopying by the Agency.

Section 1450.104 Certification of Documents

- a) All records and reports retained by or submitted to the Agency as required by this Part shall be signed by a person responsible for preparing and reviewing such documents as part of his or her duties in the regular course of business.
- b) Any person signing a report submitted to the Agency as required by this Part shall make the following certification:
I certify under penalty of law that this report and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Section 1450.105 Certification of Weight

- a) Although PIMW may be measured in other units, the transporter is responsible for accurately weighing any load of PIMW in pounds.
- b) The PIMW shall be weighed with a device for which certification has been obtained under the Weights and Measures Act [225 ILCS 470] or by another acceptable method as specified in the Agency permit.

(Source: Amended at 33 Ill. Reg. 6515, effective April 23, 2009)

Section 1450.106 Severability

If any Section, subsection, sentence or clause of this Part shall be adjudged unconstitutional, void, invalid or otherwise unlawful, such adjudication shall not affect the validity of this Part as a whole or any Section, subsection, sentence or clause thereof not adjudged unconstitutional, void, invalid or otherwise unlawful.

SUBPART B: PROCEDURES FOR MAINTAINING REPORTS

Section 1450.200 Daily PIMW Report

- a) The Daily PIMW Report shall be maintained at the transporter's principal place of business in Illinois or corporate headquarters.
- b) The Daily PIMW Report shall be either on a form provided by the Agency or on another form that records the same information.
- c) The Daily PIMW Report shall include, but not be limited to, the following information for each load of PIMW transported:
 - 1) the date received;
 - 2) the PIMW transport company name;
 - 3) the permitted medical waste hauler number;
 - 4) the PIMW manifest number;
 - 5) the generator name and location (city/state);
 - 6) the designated facility name and location (city/state);
 - 7) the gross weight in pounds of PIMW subject to the PIMW transporter fee;
 - 8) the gross weight in pounds of PIMW exempt from the PIMW transporter fee and the reason for the exemption;
 - 9) the tare weight in pounds;
 - 10) the net weight in pounds of PIMW subject to the PIMW transporter fee;
 - 11) the net weight in pounds of PIMW exempt from the PIMW transporter fee;
 - 12) the grand totals of gross and net weight of PIMW and the grand total of tare weight;
 - 13) the page subtotal, if applicable; and
 - 14) the authorized name, signature and date.
- d) Upon written or oral request of the Agency, the transporter will submit copies of the Daily PIMW Reports covered by the quarter to the Agency with the Quarterly PIMW Report.
- e) Entries on a Daily PIMW Report shall be made contemporaneously with the receipt of each load unless the transporter uses a different method of recording the required information which assures that required information can be entered on the Daily PIMW Report by the end of each business day,

in which case the information must be entered in the Daily PIMW Report by the end of each business day. When an alternative method of contemporaneous recording is used, that record must be maintained in accordance with the records retention provisions of Section 1450.103 of this Part.

Section 1450.201 Monthly PIMW Report

- a) The Monthly PIMW Report shall be submitted to the Agency on a form provided by the Agency.
- b) Entries on the Monthly PIMW Report shall be completed within 10 calendar days after the end of each month.
- c) The Monthly PIMW Reports covered by the quarter shall be submitted with the Quarterly PIMW Report to the Agency.
- d) The Monthly PIMW Report shall include, but not be limited to, the following information on a daily basis:
 - 1) the month and year received;
 - 2) the PIMW transport company name;
 - 3) the permitted medical waste hauler number;
 - 4) the designated facility name and location (city/state);
 - 5) the date PIMW was received;
 - 6) the total number of PIMW manifests used;
 - 7) the net weight in pounds of PIMW subject to the PIMW transporter fee;
 - 8) the grand totals of subsections (d)(6) and (7) of this Section;
 - 9) the certification according to Section 1450.104; and
 - 10) the authorized name, signature, date and telephone number.

Section 1450.202 Quarterly PIMW Report

The Quarterly PIMW Report shall be submitted to the Agency on a form provided by the Agency.

- b) The Quarterly PIMW Report shall include, but not be limited to, the following information:
 - 1) the quarter and year received;
 - 2) the PIMW transport company name and address;
 - 3) the permitted medical waste hauler number;
 - 4) the designated facility name and location (city/state);
 - 5) the total number of PIMW manifests used for each of the three months;
 - 6) the net weight in pounds of PIMW subject to the PIMW transporter fee for each of the three months;
 - 7) the total PIMW transporter fee due for each of the three months;

- 8) the summation of net weight in pounds of PIMW subject to the PIMW transporter fee for the current quarter and for the calendar year;
 - 9) the total PIMW transporter fee due for the current quarter and for the calendar year;
 - 10) the supplemental PIMW transporter fee due or credited for the previous reporting periods;
 - 11) the PIMW transporter fee due or credited from the previous quarter;
 - 12) the total PIMW transporter fee paid for the quarter;
 - 13) the certification according to Section 1450.104; and
 - 14) the authorized name, signature, date and telephone number.
- c) The Quarterly PIMW Report shall be received by the Agency on or before April 15, July 15, October 15 and January 15 of each calendar year and shall cover the three calendar months preceding the receipt date.
- d) The PIMW transporter fee required to be paid under Subpart C of this Part shall be included with the submission of the Quarterly PIMW Report. The weight in pounds of PIMW subject to the PIMW transporter fee is required to be listed on each PIMW manifest.
- e) The PIMW Quarterly Report, including the payment of the PIMW transporter fee and the applicable Monthly PIMW Reports, shall be sent to the following address:

Illinois Environmental Protection Agency
Division of Administration, Fiscal Services
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

(Source: Amended at 33 Ill. Reg. 6515, effective April 23, 2009)

Section 1450.203 Supplemental PIMW Report

- a) When errors in the amount of PIMW or the amount of the PIMW transporter fee due by month or quarter under this Part are discovered in any of the records required to be kept under this Part, a Supplemental PIMW Report showing the relevant corrections shall be completed by the transporter and submitted to the Agency. The transporter shall show the adjustment on the next Quarterly PIMW Report.
- b) The Supplemental PIMW Report shall be submitted to the Agency on a form provided by the Agency.
- c) The Supplemental PIMW Report shall include, but not be limited to, the following information:
 - 1) the PIMW transport company name and address;
 - 2) the permitted medical waste hauler number;
 - 3) the PIMW manifest number;

- 4) the date PIMW was received;
- 5) the generator name and location (city/state);
- 6) the designated facility name and location (city/state);
- 7) the correct net weight in pounds of PIMW;
- 8) the incorrect net weight in pounds of PIMW previously reported;
- 9) the difference in weight in pounds of PIMW;
- 10) the total PIMW transporter fee due or for credit;
- 11) the grand totals for subsections (c)(7) through (11) of this Section;
- 12) the page subtotal, if applicable;
- 13) the certification according to Section 1450.104; and
- 14) the authorized name, signature, date and telephone number.

SUBPART C: PROCEDURES FOR THE PAYMENT OF PIMW TRANSPORTER FEES

Section 1450.300 Quarterly Submission of Payment of PIMW Transporter Fee

- a) Payment of the PIMW transporter fee required by Section 56.6(a) of the Act shall be made on a quarterly basis with the submission of the Quarterly PIMW Report. The payment shall be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and shall cover the three preceding calendar months.
- b) If the calculation of fees under this Section results in an overpayment, the Agency shall credit this overpayment against the PIMW transporter fees due during the next quarter. The Agency shall issue no refunds.
- c) If the calculation of fees under this Section results in an underpayment of greater than \$10, the amount is due to the Agency within 10 calendar days after receipt of an underpayment notice from the Agency.
- d) Each transporter shall notify the Agency if it intends to permanently cease transportation of PIMW. This notification shall be received by the Agency within 30 calendar days after ceasing the transportation of PIMW and include:
 - 1) the name and address of the transporter;
 - 2) the date by which PIMW will cease to be transported; and
 - 3) a fee payment schedule to assure submission of fees in accordance with this Part.
- e) In the event that a transporter does not transport any PIMW for any quarter, the transporter shall submit the Quarterly PIMW Report to the Agency at the times indicated in subsection (a) of this Section and shall indicate "none" in the appropriate spaces on the Quarterly PIMW Report

(Source: Amended at 33 Ill. Reg. 6515, effective April 23, 2009)

Section 1450.301 Manner of Payment

Payment shall be made by money order, cashier's check or certified check payable to the Treasurer, State of Illinois. Payment shall be mailed to the Agency at the following address:

Illinois Environmental Protection Agency
Division of Administration, Fiscal Services
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

(Source: Amended at 33 Ill. Reg. 6515, effective April 23, 2009)