

1.1 A bill for an act

1.2 relating to environment; modifying Infectious Waste Control Act; amending
1.3 Minnesota Statutes 2008, section 116.78, subdivision 4.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2008, section 116.78, subdivision 4, is amended to read:

1.6 Subd. 4. **Sharps.** (a) Sharps, except those generated from a household or from a
1.7 farm operation or agricultural business:

1.8 (1) must be placed in puncture-resistant containers;

1.9 (2) may not be compacted or mixed with other waste material whether or not the
1.10 sharps are decontaminated unless it is part of an infectious waste decontamination process
1.11 approved by the commissioner of the Pollution Control Agency that will prevent exposure
1.12 during transportation and disposal; and

1.13 (3) may not be disposed of at refuse-derived fuel facilities or at other facilities
1.14 where waste is hand sorted.

1.15 (b) Every box of 90 or more syringes sold by sharps retailers must be accompanied
1.16 by a free sharps disposal container that has adequate capacity to contain the sharps
1.17 purchased. A purchaser may decline to accept the sharps disposal container. Sharps
1.18 containers must be provided by the syringe manufacturers to the sharps retailers at no cost.

1.19 (c) A sharps manufacturer that sells or distributes sharps that are usually intended
1.20 for home use, shall, on or before July 1, 2011, and annually thereafter, submit to the
1.21 Pollution Control Agency a plan that describes how the manufacturer supports the safe
1.22 collection and proper disposal of the sharps.

1.23 (d) The plan required under paragraph (c) shall include, at a minimum, a description
1.24 of the actions, if any, taken by the manufacturer to do the following:

- 2.1 (1) provide for the safe collection and proper disposal of sharps;
2.2 (2) educate consumers about safe management and collection opportunities; and
2.3 (3) support efforts by retailers, pharmaceutical distributors, local governments,
2.4 health care organizations, public health officers, solid waste service providers, and other
2.5 groups with interest in protecting public health and safety through the sale, collection, and
2.6 proper disposal of sharps.

2.7 (e) Sharps manufacturers must post and maintain a copy of the plans required under
2.8 paragraph (c) on the manufacturer's Web site.

2.9 (f) The commissioner of the Pollution Control Agency must post and maintain
2.10 copies of plans submitted by manufacturers on the Pollution Control Agency Web site.

2.11 (g) This subdivision does not apply to any medication provided in a hypodermic
2.12 needle, pen needle, intravenous needle, or any other similar device that employs a
2.13 mechanism or method to sheath, shield, or render nonhazardous the needle or similar
2.14 device after use so as to substantially eliminate the possibility of an unintended or
2.15 accidental needle stick.

2.16 **EFFECTIVE DATE.** This section is effective January 1, 2011.