

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
CLEAN MANUFACTURING TECHNOLOGY BOARD
NOTICE OF PUBLIC MEETING**

Friday, September 28, 2001 at 1PM(EST)
Purdue Technology Center
Conference Room C-1-400
3000 Kent Avenue
West Lafayette, Indiana

Notice is hereby given that the Clean Manufacturing Technology Board (CMT Board) will conduct a public meeting beginning at 1:00 p.m. Friday, September 29, 2001, hosted by the Clean Manufacturing Technology Institute at the location listed below. Committee meetings will follow Board meeting at 3:00 p.m.

The public meeting will be held at:

Purdue Technology Center
Conference Room C-1-400
3000 Kent Avenue
West Lafayette, Indiana

Friday, September 28, 2001 at 1PM(EST)

The Pollution Prevention Board was established by the Indiana Pollution Prevention and Safe Materials Act of 1990. In 1997 Public Law 124 (found predominately at IC 13-27.5-1-1 et seq.) created the Clean Manufacturing Technology Board and transferred to it the policies, minutes, official documents and responsibilities of the Pollution Prevention Board. Public Law 124 of 1997 also created the Indiana Clean Manufacturing and Safe Materials Institute and transferred to it the responsibilities of the Pollution Prevention and Safe Materials Institute. In addition to changing their names, this new law sharpens the focus of the Board and Institute to cover only the highest forms of industrial pollution prevention. The Board is specifically charged with assessing the progress of and overseeing the Institute and providing a public forum for discussion and deliberation on matters pertaining to the implementation of IC 13-27.5 on Indiana Clean Manufacturing Technology and Safe Materials.

For confirmation of the meeting or additional meeting information, contact Terry Lewis, of IDEM's Office of Pollution Prevention and Technical Assistance at 317/233-5434.

Iris Kiesling, Vice-Chair
Clean Manufacturing Technology Board

Individuals with disabilities requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management ADA (Americans with Disabilities Act) coordinator at:

Nicole Pesante, ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Ave., P.O. Box 6015
Indianapolis, IN 46206-6015

or call 317/233-0855 (V). Please provide a minimum of 72 hours notification.

**INDIANA FAMILY AND SOCIAL SERVICES ADMINISTRATION
NOTICE OF CHANGES IN METHODS AND STANDARDS FOR MEDICAID
PAYMENT OF NURSING FACILITY CROSSOVER CLAIMS**

In accordance with public notice requirements of section 42 CFR 447.205 and Section 1902(a)(13)(A) of the Social Security Act, the Indiana Family and Social Services Administration, Office of Medicaid Policy and Planning (OMPP) publishes this notice of proposed revisions to the crossover claim reimbursement methodology.

Beginning October 1, 2001, OMPP will begin reimbursing crossover claims filed by nursing facilities so that total reimbursement does not exceed the Medicaid allowable rate. Crossover claims for all other Medicaid certified provider categories will continue to be reimbursed up to the Medicare allowable rate. A crossover claim is a claim filed on behalf of a Medicare beneficiary who is also eligible for Medicaid. The claim is initially filed by the medical provider with the Medicare fiscal intermediary. The fiscal intermediary processes the claim and pays the portion of the claim for which Medicare is responsible. The claim is then sent by the fiscal intermediary ("crosses over") to the State Medicaid agency for processing. Under current requirements, Medicaid is responsible for payment of Medicare deductibles and coinsurance for certain beneficiaries.

This change is being made as a cost containment initiative to assist in covering the increasing costs of the Indiana Medicaid program. It is estimated that the fiscal impact of this change will be a reduction in expenditures of approximately \$17 million per year (state and federal dollars). Part A hospital providers and non-nursing facility Part B providers will not be affected by this change in reimbursement policy.

Other Notices

Copies of this public notice will be available on and after September 1, 2001, by contacting the Director of the local County Division of Family and Children office, except in Marion County where inspection may be made at 402 West Washington Street, Room W382. Medicaid per diem rates will not be affected by this change. Written comments concerning this change may be directed to IFSSA, Attention: Karen S. Filler, 402 West Washington Street, Room W382, P.O. Box 7083, Indianapolis, Indiana, 46207-7083. Kathleen D. Gifford
Assistant Secretary

DEPARTMENT OF NATURAL RESOURCES NOTICE OF PUBLIC MEETING

The Indiana Department of Natural Resources will hold three public meetings on the draft Environmental Impact Statement for the Indiana Lake Michigan Coastal Program, in accordance with the National Environmental Policy Act. These meetings will be held on:

Monday, October 1, 2001, at 7 p.m., local time, at the Holiday Inn, 5280 S. Franklin Street, Michigan City, Indiana;
Wednesday, October 3, 2001 at 7 p.m., local time, at Wicker Park, 8554 Indianapolis Boulevard, Highland, Indiana; and
Thursday, October 4, 2001 at 7 p.m., local time, at the Portage Yacht Club, 1370 State Road 249, Portage, Indiana.

A copy of the draft Environmental Impact Statement will be available from the Department of Natural Resources, Lake Michigan Coastal Program, 402 W. Washington Street, Room W264, Indianapolis, IN 46204 (Attention: Laurie Rounds). Questions or comments may be forwarded to the same address or by calling toll-free at 877-928-3755; by fax at 317-233-4579; or by e-mail coastal@dnr.state.in.us. Additional copies will be forwarded to public libraries and available at <http://www.in.gov/dnr/lakemich>. Comments on the draft Environmental Impact Statement will be accepted until November 5, 2001.

OCCUPATIONAL SAFETY STANDARDS COMMISSION ADOPTION BY REFERENCE

Bulletin 01-01

IC 22-8-1.1-16.2 allows the adoption of any United States Occupational Safety and Health Administration (OSHA) standard that has been lawfully adopted by OSHA under federal law to be enforced by the Indiana Department of Labor, not earlier than sixty (60) days after the effective date of the federal OSHA final standard. Notice must be given by the Indiana Department of Labor by publishing a statement describing the standard, making reference to the federal regulation, under IC 4-22-7-7(b).

The Indiana Department of Labor incorporates, by reference, the following U.S. Department of Labor, Occupational Safety and Health Administration provisions that amend portions of 29 CFR 1910.1043, the final rule for the General Industry Standard for occupational exposure to cotton dust. The Indiana Department of Labor incorporates by reference the standard as amended below, as published in the Federal Register, December 7, 2000, Volume 65, Number 236, pages 76563 to 76567:

Part 1910 of Title 29 of the Code of Federal Regulations is hereby amended as set forth below:

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

1. The authority citation for Subpart Z of Part 1910 is revised to read as follows:

Authority: Sections 4, 6 and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 6-96 (62 FR 111) or 3-2000 (65 FR 50017) as applicable; and 29 CFR part 1911.

All of subpart Z issued under sec. 6(b) of the Occupational Safety and Health Act, except those substances that have exposure limits listed in Tables Z-1, Z-2, and Z-3 of 29 CFR 1910.1000. The latter were issued under sec. 6(a) (29 U.S.C. 655(a)).

Section 1910.1000, and Tables Z-1, Z-2, and Z-3 and 1910.1043 (n) also issued under 5 U.S.C. 553.

Section 1910.1000, and Tables Z-1, Z-2, and Z-3 not issued under 29 CFR part 1911 except for the arsenic (organic compounds), benzene, and cotton dust listings.

Section 1910.1001 also issued under section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and 5 U.S.C. 553.

Section 1910.1002 not issued under 29 U.S.C. 655 or 29 CFR part 1911; also issued under 5 U.S.C. 553.

Sections 1910.1018, 1910.1029 and 1910.1200 are also issued under 29 U.S.C. 653.

2. Paragraph (n) (4) of Sec. 1910.1043 is revised to read as follows:

§ 1910.1043 Cotton Dust

* * * * *

(n) * * *

(4) Higher grade washed cotton. The handling or processing of cotton classed as “low middling light spotted or better” (color grade 52 or better and leaf grade code 5 or better according to the 1993 USDA classification system) shall be exempt from all provisions of the standard except the requirements of paragraphs (h) medical surveillance, (k) (2) through (4) recordkeeping—medical records, and Appendices B, C, and D of this section, if they have been washed on one of the following systems:

(i) On a continuous batt system or a rayon rinse system including the following conditions:

(A) With water;

(B) At a temperature of no less than 60 deg.C;

(C) With a water-to-fabric ratio of no less than 40:1; and

(D) With the bacterial levels in the wash water controlled to limit bacterial contamination of the cotton.

(ii) On a batch kier washing system including the following conditions:

(A) With water;

(B) With cotton fiber mechanically opened and thoroughly prewetted before forming the cake;

(C) For low-temperature processing, at a temperature of no less than 60 deg.C with a water-to-fiber ratio of no less than 40:1; or, for high-temperature processing, at a temperature of no less than 93 deg.C with a water-to-fiber ratio of no less than 15:1;

(D) With a minimum of one wash cycle followed by two rinse cycles for each batch, using fresh water in each cycle, and

(E) With bacterial levels in the wash water controlled to limit bacterial contamination of the cotton.

Federal effective dates: April 6, 2001.

Indiana effective dates: June 6, 2001.

John P. Griffin
Commissioner of Labor

OCCUPATIONAL SAFETY STANDARDS COMMISSION

ADOPTION BY REFERENCE

Bulletin 01-02

IC 22-8-1.1-16.2 allows the adoption of any United States Occupational Safety and Health Administration (OSHA) standard that has been lawfully adopted by OSHA under federal law to be enforced by the Indiana Department of Labor, not earlier than sixty (60) days after the effective date of the federal OSHA final standard. Notice must be given by the Indiana Department of Labor by publishing a statement describing the standard, making reference to the federal regulation, under IC 4-22-7-7(b).

The Indiana Department of Labor incorporates, by reference, the following U.S. Department of Labor, Occupational Safety and Health Administration provisions that amend portions of 29 CFR 1910.1030, the final rule for the General Industry Standard for occupational exposure to bloodborne pathogens. The Indiana Department of Labor incorporates by reference the standard as amended below, as published in the Federal Register, January 18, 2001, Volume 66, Number 12, pages 5318 to 5325:

Part 1910 of Title 29 of the Code of Federal Regulations is hereby amended as set forth below:

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

1. The authority citation for 29 CFR part 1910, subpart Z, is revised to read as follows:

Authority: Sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Secretary of Labor’s Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), or 3-2000 (65 FR 50017), as applicable; and 29 CFR part 1911.

All of subpart Z issued under Sec. 6(b) of the Occupational Safety and Health Act, except those substances that have exposure limits listed in Tables Z-1, Z-2, and Z-3 of 29 CFR 1910.1000. The latter were issued under Sec. 6(a) (29 U.S.C. 655(a)).

Section 1910.1000, Tables Z-1, Z-2 and Z-3 also issued under 5 U.S.C. 553, Section 1910.1000 Tables Z-1, Z-2, and Z-3 not issued under 29 CFR part 1911 except for the arsenic (organic compounds), benzene, and cotton dust listings.

Section 1910.1001 also issued under section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and 5 U.S.C. 553.

Section 1910.1002 not issued under 29 U.S.C. 655 or 29 CFR part 1911; also issued under 5 U.S.C. 553.

Sections 1910.1018, 1910.1029 and 1910.1200 are also issued under 29 U.S.C. 653.

Section 1910.1030 is also issued under Pub. L. 106-430, 114 Stat. 1901.

* * * * *

2. Section 1910.1030 is amended as follows:

A. In § 1910.1030, paragraph (b), the definition for “Engineering Controls” is revised and definitions are added in alphabetical order to read as set forth below:

B. Paragraph (c)(1)(iv) is revised to read as set forth below:

Other Notices

C. Paragraph (c)(1)(v) is redesignated paragraph (c)(1)(vi), and a new paragraph (c)(1)(v) is added to read as set forth below:

D. A new paragraph (h)(5) is added to read as set forth below:

§ 1910.1030 Bloodborne pathogens.

* * * * *

(b) * * *

Engineering controls means controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems) that isolate or remove the bloodborne pathogens hazard from the workplace.

* * * * *

Needleless systems means a device that does not use needles for:

(1) The collection of bodily fluids or withdrawal of body fluids after initial venous or arterial access is established;

(2) The administration of medication or fluids; or

(3) Any other procedure involving the potential for occupational exposure to bloodborne pathogens due to percutaneous injuries from contaminated sharps.

* * * * *

Sharps with engineered sharps injury protections means a nonneedle sharp or a needle device used for withdrawing body fluids, accessing a vein or artery, or administering medications or other fluids, with a built-in safety feature or mechanism that effectively reduces the risk of an exposure incident.

* * * * *

(c) * * *

(1) * * *

(iv) The Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update of such plans shall also:

(A) Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens; and

(B) Document annually consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

(v) An employer, who is required to establish an Exposure Control Plan shall solicit input from non-managerial employees responsible for direct patient care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective engineering and work practice controls and shall document the solicitation in the Exposure Control Plan.

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(h) * * *

(5) *Sharps injury log.* (i) The employer shall establish and maintain a sharps injury log for the recording of percutaneous injuries from contaminated sharps. The information in the sharps injury log shall be recorded and maintained in such manner as to protect the confidentiality of the injured employee. The sharps injury log shall contain, at a minimum:

(A) The type and brand of device involved in the incident,

(B) The department or work area where the exposure incident occurred, and

(C) An explanation of how the incident occurred.

(ii) The requirement to establish and maintain a sharps injury log shall apply to any employer who is required to maintain a log of occupational injuries and illnesses under 29 CFR 1904.

(iii) The sharps injury log shall be maintained for the period required by 29 CFR 1904.6.

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Federal effective dates: April 18, 2001.

Indiana effective dates: June 18, 2001.

John P. Griffin
Commissioner of Labor
