

7045.0208 HAZARDOUS WASTE MANAGEMENT.

Subpart 1. **Management by generator.** A generator must manage hazardous waste by using one of the methods described in items A to H, unless otherwise specifically exempted under this chapter.

A. A generator may treat or dispose of hazardous waste at an on-site facility as provided under part 7045.0211.

B. A generator may ensure delivery of hazardous waste to an off-site storage, treatment, or disposal facility. If located in the United States, the facility used must be permitted to accept hazardous waste under the agency's permitting procedures, have interim status under parts 7045.0552 to 7045.0649, or be authorized to manage hazardous waste by the Environmental Protection Agency or by a state with a hazardous waste management program authorized by the Environmental Protection Agency.

C. A generator may ensure delivery of hazardous waste to a facility that under part 7045.0125 beneficially uses or reuses, legitimately recycles, or legitimately reclaims the waste, or treats the waste before beneficial use or reuse, legitimate recycling, or legitimate reclamation.

D. A generator may export hazardous waste to a foreign country under the limitations in part 7045.0302.

E. A generator may discharge hazardous waste to a publicly owned treatment works according to the notification requirements, prohibitions, limitations, and other management requirements imposed by the publicly owned treatment works operating authority, by federal statutes and regulations, or by state statutes and rules, providing:

(1) the wastes being discharged are compatible with all piping and appurtenances which would receive the waste and conduct it to the publicly owned treatment works treatment plant; and

(2) no piping and appurtenances owned or utilized by the generator, and leading to the public sewers, will release the discharged waste to the environment.

F. A generator may ensure delivery of hazardous waste to a very small quantity generator collection program operated under part 7045.0320.

G. A generator of universal waste may ensure delivery of universal waste to a universal waste handler or destination facility under part 7045.1400.

H. A generator may ensure delivery of PCB waste to a commercial storer of PCB waste, as defined in part 7045.0135, subpart 5.

Subp. 1a. **Abandonment.** A generator must not dispose of or abandon hazardous waste or arrange for the disposal of hazardous waste at a location other than as provided under subpart 1.

Subp. 2. **Relinquishing control.** A generator must not relinquish control of a hazardous waste if:

A. the generator has reason to believe that the hazardous waste will not be properly managed;

B. the transporter or the treatment, storage, or disposal facility is not exempt under this chapter and has not received an identification number; or

C. the transporter is not currently licensed or permitted by the Minnesota Department of Transportation as a hazardous waste transporter, except as exempted in part 7045.0120.

Subp. 3. **Effect on liability.** Nothing in subparts 1 and 2 is intended to restrict, enlarge, or affect, in any way, any liability the generator may have to correct the mismanagement of the hazardous waste or pay for damages or alleviate any pollution caused by the mismanagement of the hazardous waste.

Subp. 4. **Land disposal.** Hazardous wastes are subject to the requirements of part 7045.1390.

Statutory Authority: *MS s 116.07*

History: *16 SR 2102; 18 SR 1565; 20 SR 715; 22 SR 5; 30 SR 43; 33 SR 2042*

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