

7045.0216 EVALUATION REPORTS TO THE COMMISSIONER.

Subpart 1. **Necessary information.** The commissioner may request at any time that a person producing a waste submit the results of the evaluation of the waste. The person must submit the following information as requested by the commissioner:

- A. The type of waste and the source or process from which it was produced.
- B. The chemical composition of the waste and the anticipated fluctuations in its chemical composition.
- C. The concentration of each component listed in part 7045.0131, subpart 8 found in the leachate of the waste. The person evaluating the waste may submit soft data in lieu of testing the waste if the data is sufficient to demonstrate whether the waste is hazardous or nonhazardous due to the toxicity characteristic.
- D. The results of the evaluation to determine whether the waste has any characteristics listed in part 7045.0131.
- E. If any tests were conducted to evaluate the waste, the person must submit the results of all tests conducted.

Subp. 2. **Consequences of failure to report.** If the person who is requested by the commissioner to submit the results of an evaluation of a waste fails to submit the required information within 30 days after the request, the waste must be managed as a hazardous waste, and the person who produces the waste must be considered a generator until the commissioner has determined whether the waste is hazardous or not.

Statutory Authority: *MS s 116.07*

History: *9 SR 115; L 1987 c 186 s 15; 15 SR 1878*

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