

**7045.0218 CLASSIFICATION OF WASTES AS HAZARDOUS BY THE AGENCY.**

If the commissioner recommends to the agency that a specific generator's waste be classified as a hazardous waste pursuant to part 7045.0129, subpart 4, the commissioner shall notify the person producing the waste in writing of the recommendation and the person shall have at least 30 days to submit any additional material or written comments to the agency before the agency makes a determination. The agency shall notify the person in writing of its decision. The agency shall hold a contested case hearing pursuant to Minnesota Statutes, chapter 14 upon request of the person producing the waste. The waste must be managed as a hazardous waste and the person who produces the waste must be considered a hazardous waste generator until the agency has determined whether the waste is hazardous or until six months after the date of the commissioner's recommendation whichever occurs first; provided, however, that the person shall not be required to obtain a hazardous waste facility permit for storage of the waste on-site during this time. Any recommendation by the commissioner shall be considered on an expeditious basis.

**Statutory Authority:** *MS s 116.07*

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

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