

7045.0310 SPECIAL REQUIREMENTS FOR WASTE COLLECTED AS RESULT OF HOUSEHOLD HAZARDOUS WASTE MANAGEMENT PROGRAM.

Subpart 1. **Applicability.** An operator who establishes or operates all or part of a household hazardous waste management program is only required to comply with the requirements in this part with respect to collected household hazardous waste. "Household hazardous waste management program" means:

A. a program established to accept or collect household hazardous waste from households, except as otherwise provided in part 7045.0685;

B. a program established by a resource recovery facility to segregate household hazardous waste from household waste; or

C. a program established by a solid waste disposal facility to segregate household hazardous waste from household waste during processing activities.

Subp. 2. **Notification.** An operator who intends to establish or operate all or part of a household hazardous waste management program shall ensure that the information required in items A to J is submitted to the commissioner at least 30 days before initiating the household hazardous waste management program.

The notification shall provide a complete description of the program including, as applicable:

A. the name, address, and telephone number of operators establishing the program;

B. the location of all household hazardous waste collection sites;

C. the duration and operating hours of the program;

D. the intended program service area;

E. the manner in which waste will be collected, stored, treated, transported, and disposed of;

F. the amount of time the operator intends to store collected waste at individual collection sites;

G. a description of the physical structures to be used to collect and store collected waste;

H. a description of personnel safety training to be given;

I. a description of the safety and emergency procedures established for the program; and

J. the name and address of all waste transporters and the facilities which will treat or dispose of the waste.

Operators who submit a notification and subsequently change any aspect of the program as described in the notification must submit, within 30 days of making the change, an amended notification to the commissioner fully describing the program changes.

Subp. 3. **Management requirements.** An operator who establishes or operates all or part of a household hazardous waste management program must comply with the standards applicable to large quantity generators established in parts 7045.0205 to 7045.0325, except as modified in items A to E.

A. The operator need not comply with the license and license reporting requirements of parts 7045.0225 to 7045.0250.

B. The operator may transport or offer for transport household hazardous waste for off-site activities as provided in part 7045.0208 or to a collection site that has obtained the commissioner's approval under subpart 6.

C. If the operator transports or offers for transport household hazardous waste for off-site activities at a collection site that has obtained the commissioner's approval under subpart 6, the operator:

(1) may, in lieu of a manifest, prepare and use a shipping paper containing all the information required on a manifest in part 7045.0261, excluding the identification number, to comply with the requirements of parts 7045.0205 to 7045.0325;

(2) may designate an alternate collection site which meets the requirements of subpart 6 or an alternate facility and must indicate the alternate collection site or facility on the shipping paper prepared under subitem (1); and

(3) must instruct the transporter to return the waste, if the transporter is unable to deliver the household hazardous waste to the facility or collection site designated on the shipping paper.

D. If the operator intends to store household hazardous waste for more than 90 days after the accumulation start date, the operator must obtain the approval of the commissioner as set out in subpart 6, but no facility permit is required unless the operator intends to perform treatment procedures other than those specified in subpart 7 or disposes of the waste on site.

E. The operator need not comply with the record keeping requirements of part 7045.0294, subparts 2 and 3.

Subp. 4. [Repealed, 16 SR 2102]

Subp. 5. **Transportation requirements.** An operator or other persons who transport waste collected as a result of a household hazardous waste management program shall transport collected waste in compliance with the requirements in items A to D.

A. A transporter may not accept household hazardous waste from any operator who establishes or operates all or part of a household hazardous waste management program unless the waste is accompanied by either a manifest signed by the generator according to parts 7045.0205 to 7045.0325 or a shipping paper prepared according to subpart 3, item C, subitem (1).

B. If the household hazardous waste is destined for a hazardous waste facility, the transporter shall comply with all of the hazardous waste transporter requirements in parts 7045.0351 to 7045.0397.

C. If the household hazardous waste is destined for a collection site that has obtained approval from the commissioner under subpart 6, the transporter shall comply with the hazardous waste transporter requirements in parts 7045.0351 to 7045.0397, except:

(1) part 7045.0361; and

(2) a shipping paper prepared according to subpart 3, item C, subitem (1), may be used, in lieu of a manifest, to comply with the requirements of parts 7045.0351 to 7045.0395.

D. An operator who transports waste for hire in Minnesota must obtain for-hire operating authority from the commissioner of transportation as required by Minnesota Statutes, chapter 221.

Subp. 6. **Storage of collected wastes.** An operator who accepts household hazardous waste from another collection site or stores household hazardous waste for more than 90 days must comply with the requirements of items A to E.

A. No operator may accept household hazardous waste from another collection site or store household hazardous waste for more than 90 days after the accumulation start date as provided in part 7045.0292, without the approval of the commissioner.

B. An operator intending to accept household hazardous waste from another collection site or store household hazardous waste for more than 90 days must submit a request for approval to the commissioner at least 30 days before initiating a household hazardous waste program. The commissioner shall approve the request if the commissioner determines that, based on the information contained in the request, the storage and management practices employed at the storage facility will appropriately protect human health and the environment from any adverse effects associated with the household hazardous waste.

C. If the commissioner approves a request, the operator shall manage the waste in compliance with the applicable standards in parts 7045.0526 and 7045.0528 for the use and management of containers and tanks.

D. If the commissioner does not approve a request, the operator must transport or arrange to transport the household hazardous waste for off-site activities at a facility that either has a hazardous waste permit or a collection site that has obtained the commissioner's approval under this subpart. Operators who store household hazardous waste for more than 90 days without the commissioner's approval are in violation of this chapter.

E. If the operator has not submitted a request as required under item B, or if the commissioner does not approve a request, the commissioner may still grant a storage extension if household hazardous waste must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances as provided in part 7045.0292, subparts 10 and 11.

Subp. 7. **Treatment.** Operators conducting treatment of collected household hazardous wastes are subject to the requirements of items A to C.

A. An operator intending to perform any treatment not specified in item B must submit a request for approval to the commissioner. The commissioner shall approve the request if the commissioner determines that the requirements of item C have been satisfied and that all other management practices at the collection site are adequate to protect human health and the environment.

B. Treatment methods which do not require approval of the commissioner are bulking of:

- (1) paints;
- (2) solvents;
- (3) used oil; and
- (4) antifreeze.

While bulking is being done, the personnel training and safety procedures must specifically address how this activity will be conducted.

C. All other methods of waste treatment must be identified in the notification required under subpart 2 and the commissioner's approval obtained for those specific activities before any of those activities are begun. In addition to the information required in subpart 2, the notification must provide the following information:

- (1) the name of the person appointed to direct and oversee the treatment process; and

(2) a detailed description of the treatment activity and an explanation of how human health and the environment will be protected.

Statutory Authority: *MS s 116.07*

History: *15 SR 801; 15 SR 2106; 16 SR 2102; 20 SR 715; 22 SR 5; L 2001 c 213 s 30; 31 SR 1277*

Published Electronically: *October 10, 2013*