

7045.0320 VERY SMALL QUANTITY GENERATOR HAZARDOUS WASTE COLLECTION PROGRAMS.

Subpart 1. **Applicability.** This part provides the requirements for the management and transportation of waste collected as part of a very small quantity generator hazardous waste collection program. Full compliance with this part exempts the program operator from the permit requirements of part 7001.0520.

An operator of a hazardous waste facility permitted under chapter 7001 is exempt from the requirements of this part to the extent that the facility permit specifically allows the facility to accept and store waste from other generators.

Subp. 2. **Generators who operate collection programs.** A generator who is also a program operator must comply with the applicable provisions of parts 7045.0205 to 7045.0325 as they apply to the generator's hazardous waste. A generator who operates a collection program must maintain separate records for the collected waste and waste generated by the generator.

Subp. 3. **Definitions.** When used in this part, the terms in items A to D have the meanings given them.

A. "Collection program" means a program licensed under this part to accept, collect, transport, store, or treat hazardous waste from very small quantity generators.

B. "Collection site" means a site established as part of a collection program under this part.

C. "Program operator" means a person or persons who establish a collection program and arrange for the acceptance, collection, transportation, storage, and treatment of collected hazardous waste from very small quantity generators.

D. "Site operator" means a person or persons who operate a collection site.

Subp. 4. **Program license.** A program operator must apply for and obtain a collection program license from the commissioner before accepting any waste. The program operator must renew the license annually.

Subp. 5. **License application.** The license application must provide a complete description of the program including, as applicable:

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

B. the name, address, and telephone number of persons operating the program, if different than item A;

C. the location and identification number of all collection sites, designating central facilities and satellite facilities;

D. the duration and operating hours of the program;

- E. the intended program service area;
- F. a description of the operator's administrative process for accepting waste from very small quantity generators;
- G. the anticipated types and amounts of waste to be collected, stored, treated, transported, and disposed of;
- H. a description of how the waste is to be collected, analyzed, stored, treated, transported, and disposed of;
- I. except as provided in item J, if treatment of collected waste is applied for under this license, the following additional information must be submitted for each method of waste treatment proposed:
 - (1) the name of the person appointed to direct and oversee the treatment process;
 - (2) a detailed description of the treatment activity and an explanation of how human health and the environment will be protected; and
 - (3) evidence of compliance with part 7045.0210 addressing financial responsibility;
- J. the bulking of paints, solvents, used oil, and antifreeze does not require submittal of the additional information under item I but must be addressed under items G and H;
- K. the amount of time the site operator intends to store collected waste at individual collection sites;
- L. a description of the physical structures where collection and storage will occur;
- M. a description of personnel safety training;
- N. a description of the safety and emergency procedures established;
- O. the name, address, and identification number of all hazardous waste transporters to be used; and
- P. the name, address, and identification number of all hazardous waste facilities which will treat or dispose of the waste.

Subp. 6. **Changes to license conditions.** A program operator may change the conditions of management or operation during the time period for which the license is valid, except for treatment changes approved under subpart 5, item I, which require the commissioner's written approval before the operator may implement the treatment changes. If the program operator changes any of the conditions of management or operation during the life of the license, the operator shall report the changes in the next annual report.

Subp. 7. **License issuance and renewal.** After receiving the license application or annual report, as applicable, the commissioner will conduct a review of the submitted information and will:

- A. issue or reissue, as applicable, a collection program license;
- B. request in writing the submittal of additional information to make the license application or annual report, as applicable, complete and approvable;
- C. request in writing facility operational or waste management changes to make the application or annual report, as applicable, approvable; or
- D. deny approval of license application within 45 days of last submittal of information by license applicant.

Subp. 8. **Reporting requirements.** A program operator must meet the reporting requirements established in part 7045.0248, subpart 1.

In addition, the site operator must keep a written operating record at the collection site and available for inspection that contains the following information for each time a waste is collected:

- A. the generator names and identification numbers as required under part 7045.0221 from whom waste was collected;
- B. the name or a description of the hazardous waste collected;
- C. the amount of each hazardous waste collected;
- D. the date the waste was received at the collection site; and
- E. the date the waste was treated or shipped from the collection site.

Subp. 9. **Management requirements.** A person or persons involved in management of hazardous waste from very small quantity generators as part of a collection program shall comply with the requirements of items A to F.

A. The program operator must comply with the standards applicable to large quantity generators established in parts 7045.0205 to 7045.0325 with respect to collected hazardous waste except as modified in this part.

B. The license requirements of parts 7045.0225 to 7045.0250 are replaced by the requirements of subparts 4 to 8.

C. A site operator may accumulate hazardous waste on site without a permit or without interim status if the site operator complies with the accumulation time limits and management requirements provided in part 7045.0292. The site operator is a generator whose size shall be determined by applying part 7045.0206. The site operator shall comply with the requirements applicable to a generator of the appropriate size.

D. The site operator may transport or offer for transport collected waste for off-site activities as provided in part 7045.0208 or to a collection site that is part of the same collection program licensed under this part.

E. If the site operator transports or offers for transport collected waste for off-site activities to a collection site that is part of the same collection program licensed under this part, 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 7045.0261 to 7045.0265;

(2) may designate an alternate collection site that has obtained the commissioner's approval 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 collected waste to the facility or collection site designated on the shipping paper.

F. The site operator must provide a written receipt to the generator immediately upon receipt of waste. The receipt must include:

(1) the date the waste was received at the collection site;

(2) the name or a description of the hazardous waste received;

(3) the amount of each hazardous waste received;

(4) the generator name and identification number; and

(5) the signature of the generator or authorized representative.

Subp. 10. **Transport requirements.** A person or persons who transport waste collected as a result of a collection program licensed under this part shall transport collected waste in compliance with the requirements in items A to D.

A. A transporter may not accept collected waste from a program operator or a site operator unless the waste is accompanied by either a manifest signed by the program operator or a shipping paper prepared according to subpart 9, item E, subitem (1).

B. If the collected 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 collected waste is destined for a collection site that has obtained approval from the commissioner under the licensing provisions of this part, the transporter shall

comply with the hazardous waste transporter requirements in parts 7045.0351 to 7045.0397, except:

- (1) an identification number under part 7045.0361 is not required; and
- (2) a shipping paper prepared according to subpart 9, item E, subitem (1), may be used, in lieu of a manifest, to comply with the manifest 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.

Statutory Authority: *MS s 14.07; 116.07*

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

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