

7045.0539 MISCELLANEOUS UNITS.

Subpart 1. **Scope.** The requirements in this part apply to owners and operators of facilities that treat, store, or dispose of hazardous waste in miscellaneous units.

Subp. 2. **Environmental performance standards.** A miscellaneous unit must be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment. Permits for miscellaneous units are to contain the terms and provisions necessary to protect human health and the environment, including, but not limited to, as appropriate, design and operating requirements, detection and monitoring requirements, and requirements for responses to releases of hazardous waste or hazardous constituents from the unit. Permit terms and provisions shall include those requirements of parts 7045.0526 to 7045.0542, 7045.0549, and 7045.0551, and chapter 7001 that are appropriate for the miscellaneous unit being permitted. Protection of human health and the environment includes, but is not limited to:

A. prevention of any releases that may have adverse effects on human health or the environment due to migration of waste constituents in the groundwater or subsurface environment, considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit, including its potential for migration through soil, liners, or other containing structures;
- (2) the hydrologic and geologic characteristics of the unit and the surrounding area;
- (3) the existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater;
- (4) the quantity and direction of groundwater flow;
- (5) the proximity to and withdrawal rates of current and potential groundwater users;
- (6) the patterns of land use in the region;
- (7) the potential for deposition or migration of waste constituents into subsurface physical structures, and into the root zone of food chain crops and other vegetation;
- (8) the potential for health risks caused by human exposure to waste constituents; and
- (9) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents;

B. prevention of any releases that may have adverse effects on human health or the environment due to migration of waste constituents in surface water, or wetlands or on the soil surface considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit;
- (2) the effectiveness and reliability of containing, confining, and collecting systems and structures in preventing migration;
- (3) the hydrologic characteristics of the unit and the surrounding area, including the topography of the land around the unit;
- (4) the patterns of precipitation in the region;
- (5) the quantity, quality, and direction of groundwater flow;
- (6) the proximity of the unit to surface waters;
- (7) the current and potential uses of nearby surface waters and any water quality standards established for those surface waters;
- (8) the existing quality of surface waters and surface soils, including other sources of contamination and their cumulative impact on surface waters and surface soils;
- (9) the patterns of land use in the region;
- (10) the potential for health risks caused by human exposure to waste constituents; and
- (11) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

C. prevention of any release that may have adverse effects on human health or the environment due to migration of waste constituents in the air, considering:

- (1) the volume and physical and chemical characteristics of the waste in the unit, including its potential for the emission and dispersal of gases, aerosols, and particulates;
- (2) the effectiveness and reliability of systems and structures to reduce or prevent emissions of hazardous constituents to the air;
- (3) the operating characteristics of the unit;
- (4) the atmospheric, meteorologic, and topographic characteristics of the unit and the surrounding area;
- (5) the existing quality of the air, including other sources of contamination and their cumulative impact on the air;

(6) the potential for health risks caused by human exposure to waste constituents; and

(7) the potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents.

Subp. 3. **Monitoring, analysis, inspection, response, reporting, and corrective action.** Monitoring, testing, analytical data, inspections, response, and reporting procedures and frequencies shall ensure compliance with subpart 2; parts 7045.0452, subpart 5; 7045.0462, subpart 4; 7045.0482, subparts 2 to 4; and 7045.0485, as well as meet any additional requirements needed to protect human health and the environment as specified in the permit.

Subp. 4. **Postclosure care.** A miscellaneous unit that is a disposal unit shall be maintained in a manner that complies with subpart 2 during the postclosure care period. In addition, if a treatment or storage unit has contaminated soils or groundwater that cannot be completely removed or decontaminated during closure, then that unit shall also meet the requirements of subpart 2 during postclosure care. The postclosure plan under part 7045.0490 must specify the procedures that will be used to satisfy this requirement.

Statutory Authority: *MS s 14.07; 116.07*

History: *13 SR 2761; 33 SR 2042*

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