

**7045.0626 USE AND MANAGEMENT OF CONTAINERS.**

Subpart 1. **Scope.** This part applies to owners and operators of hazardous waste facilities that store containers of hazardous waste, except as part 7045.0552 provides otherwise. Under part 7045.0127, subparts 2 to 4, and Code of Federal Regulations, title 40, section 261.33(c), as incorporated in part 7045.0135, if a hazardous waste is emptied from a container, the residue remaining in the container is not considered a hazardous waste if the container is empty, as defined in part 7045.0127, subparts 2 to 4. In that event, management of the container is exempt from the requirements of this part.

Subp. 2. **Condition of containers.** Containers used to store hazardous waste must meet the following requirements:

A. be of sturdy leakproof construction, adequate wall thickness, adequate weld, hinge, and seam strength and sufficient strength to withstand side and bottom shock, while filled, without impairment of the ability of the container to fully contain the hazardous waste; and

B. have lids, caps, hinges, or other closure devices of sufficient strength and construction so that when closed they will withstand dropping, overturning, or other shock without impairment of the container's ability to fully contain the hazardous waste.

If a container holding hazardous waste does not meet the requirements of items A and B or if it begins to leak, the owner or operator shall transfer the hazardous waste from this container to a container that does meet the requirements of items A and B, or manage the waste in some other way that complies with the requirements of this part.

Subp. 3. **Compatibility of waste with containers.** The owner or operator shall use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored and other substances that the container may foreseeably contact, so that the ability of the container to contain the waste is not impaired.

Subp. 4. **Management of containers.** A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste or when a generator is treating hazardous waste in that container in accordance with part 7045.0450, subpart 3, item K, or 7045.0552, subpart 3, item K.

A container holding hazardous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. Reuse of containers is governed by United States Department of Transportation regulations, including those set forth in Code of Federal Regulations, title 49, section 173.28, as amended.

The owner or operator shall store containers which if exposed to moisture or direct sunlight may create a hazardous condition or adversely affect the container's ability to

contain the hazardous waste, in an area with overhead roofing or other covering that does not obstruct the visibility of the labels.

Subp. 4a. **Labeling.** Containers must be clearly labeled with the words "Hazardous Waste" and a description that clearly identifies their contents to employees and emergency personnel. If it is not possible for the labels to be clearly visible for inspection, the information on the labels must be accessible in some other form that will allow ready identification of the contents without having to move the containers.

Subp. 5. **Inspections.** The owner or operator shall inspect hazardous waste containers and areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors and shall keep a written record of the dates and findings of these inspections.

Subp. 6. **Special requirements for incompatible wastes.** Incompatible wastes or incompatible wastes and materials must not be placed in the same container, unless compliance with part 7045.0562, subpart 2, is maintained.

Hazardous waste must not be placed in an unwashed container that previously held an incompatible waste or material unless compliance with part 7045.0562, subpart 2, is maintained.

A storage container holding a hazardous waste that is incompatible with any waste or other materials located nearby must be adequately separated from the other materials or protected from them by means of a dike, berm, wall, or other device. The purpose of this requirement is to prevent fires, explosions, gaseous emissions, leaching, or other discharge of hazardous waste or hazardous waste constituents which could result from the mixing of incompatible wastes or materials if containers break or leak.

Subp. 7. **Special requirements for ignitable or reactive waste.** Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility's property line, when physically possible based on the dimensions of the property. When it is not physically possible to place containers at least 50 feet from the property line, based on the dimensions of the property, the ignitable or reactive waste must be placed at least as far as the specified minimum distance from property line found in the Minnesota State Fire Code, chapter 7510. Nothing in this subpart shall relieve the facility owner or operator from the obligation to comply with any local, state, or federal law governing storage of these wastes.

Subp. 8. **Closure.** At closure, all hazardous waste and hazardous waste residues must be removed from the storage area. Remaining containers, liners, bases, and soil containing or contaminated with hazardous waste or hazardous waste residues must be decontaminated or removed. At closure and throughout the operating period, unless the owner or operator can demonstrate that the waste removed from the storage area is not a

hazardous waste, the owner or operator becomes a generator of hazardous waste and shall manage it in accordance with all applicable requirements of parts 7045.0205 to 7045.1030.

Subp. 9. **Air emission standards.** The owner or operator must manage all hazardous waste placed in a container in accordance with the applicable requirements of parts 7045.0645, 7045.0647, and 7045.0648.

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

**History:** *9 SR 115; 14 SR 2248; 18 SR 1565; 20 SR 715; 22 SR 5; 22 SR 2300; 32 SR 10; 33 SR 2042*

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