

**7049.0210 NOTICE.**

Subpart 1. **Notice of potential problems; slug discharges.** All industrial users shall notify the receiving POTW immediately of all discharges by the industrial user that could cause problems to the POTW plant, including any slug discharge.

Subp. 2. **Notification and repeat sampling in case of violation.** If sampling performed by an industrial user indicates a violation, the industrial user shall notify its control authority, and its receiving POTW if the POTW is not the control authority, within 24 hours of becoming aware of the violation. The industrial user shall repeat the sampling and analysis and submit the results of the repeat analysis to its control authority within 30 days after becoming aware of the violation. When the POTW has performed the sampling and analysis in lieu of the industrial user, the POTW shall perform the repeat sampling and analysis unless it notifies the industrial user of the violation and requires the industrial user to perform the repeat analysis. Unless directed by the POTW authority, resampling is not required if:

A. the POTW performs sampling at the industrial user at a frequency of at least once per month; or

B. the POTW performs sampling at the industrial user between the time when the initial sampling was conducted and the time when the industrial user or the POTW receives the results of the sampling.

Subp. 3. **Notification of changed discharge.** An industrial user shall promptly notify the receiving POTW in advance of any substantial change in the volume or character of pollutants in the industrial user's discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under subpart 4. When the agency is the control authority, the industrial user shall also notify the agency.

Subp. 4. **Sewered hazardous waste notification.**

A. If an industrial user discharges 15 kilograms or more of a substance in any month into a POTW that, if otherwise disposed of, would be a hazardous waste under chapter 7045, or if an industrial user discharges any amount of a substance into a POTW that, if otherwise disposed of, would be an acute hazardous waste under chapter 7045, the industrial user shall submit a written sewered hazardous waste notification to the receiving POTW, the Environmental Protection Agency regional waste management division director, and the agency hazardous waste program. Any notification under this subpart need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under subpart 3.

B. (1) A sewered hazardous waste notification must include the name of the hazardous waste as set forth in chapter 7045, the Environmental Protection Agency hazardous waste number, and the type of discharge (continuous, batch, or other).

(2) If the industrial user discharges more than 100 kilograms of the waste per calendar month to the receiving POTW, the notification shall also contain the following information to the extent the information is known and readily available to the industrial user:

(a) an identification of the hazardous constituents contained in the wastes;

(b) an estimation of the mass and concentration of the constituents in the waste stream discharged during that calendar month; and

(c) an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.

(3) The industrial user shall also certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it is determined to be economically practical.

C. Industrial users shall provide the sewered hazardous waste notification no later than 180 days after the discharge of:

(1) more than 15 kilograms of nonacute hazardous wastes in a calendar month; or

(2) any quantity of acute hazardous wastes as specified in part 7045.0135, subparts 2 and 4.

In the case of any new regulations under chapter 7045 or United States Code, title 42, section 6921, identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the sewered hazardous waste notification is due within 90 days of the effective date of the regulations.

D. The notification requirement in this subpart does not apply to pollutants already reported in a baseline monitoring report, 90-day compliance report, or periodic report on continued compliance as required in parts 7049.0500 to 7049.0570.

**Statutory Authority:** *MS s 115.03*

**History:** *33 SR 696*

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