

7035.2535 GENERAL SOLID WASTE MANAGEMENT FACILITY REQUIREMENTS.

Subpart 1. **Unacceptable wastes.** The owner or operator of a solid waste management facility must not accept the following wastes for treatment, storage, processing, transfer, or disposal:

A. hazardous wastes, categorized according to Minnesota Statutes, chapters 115B and 116, and Minnesota Rules, chapter 7045, or wastes that have not been evaluated pursuant to parts 7045.0214 to 7045.0217;

B. sewage sludge, septic tank pumpings, sewage sludge compost, or sewage unless treated to meet the Class B pathogen reduction standards of chapter 7041;

C. infectious wastes, unless approved by the agency;

D. used oil, except as provided in subpart 5, item B;

E. radioactive waste;

F. wastes containing free liquids; or

G. free liquids.

Subp. 2. **Required notices.** The owner or operator of a solid waste management facility must notify the agency before transferring ownership or operation of a solid waste management facility during its operating life or during the postclosure care period. The owner or operator must also notify the new owner or operator in writing of the requirements of parts 7035.2525 to 7035.2915 and existing permit conditions. No ownership or operation transfer may occur without a permit modification as required in part 7001.0190, subpart 2. The facility must be in substantial compliance with all agency rules before the agency will approve a transfer.

Subp. 3. **Security.** During the active life of the solid waste management facility, the closure period, and postclosure care period, as required, the owner or operator must prevent, by use of a fence or similar device, the unauthorized entry of persons or livestock onto the facility, unless the owner or operator demonstrates to the commissioner that:

A. physical contact with the waste, structure, or equipment at the facility will not injure unknowing or unauthorized persons or livestock that could enter the facility; and

B. disturbance of the waste or equipment will not cause a violation of parts 7035.2525 to 7035.2915.

Subp. 4. **General inspection requirements.** General inspection requirements include the information required in items A to E.

A. The owner or operator must inspect the facility for malfunctions, deterioration, or discharges that may result in either the release of pollutants to the environment or a threat

to human health. The owner or operator must conduct these inspections according to the schedule developed under item B.

B. The owner or operator must develop and follow a written schedule for inspecting monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment used to prevent, detect, or respond to environmental or human health hazards. The owner or operator must retain a copy of the schedule at the facility. The schedule must identify the types of problems to look for during the inspection including inoperative sump pumps, damaged well casings, clogged leachate collection systems, eroding dikes, and damaged survey markers.

C. The owner or operator shall submit the inspection schedule with the permit application. The commissioner must evaluate the schedule to ensure that it will result in protection of human health and the environment. The owner or operator must revise the schedule when conditions at the site warrant revisions and whenever the facility design is modified.

D. The owner or operator must remedy any deterioration or malfunction of equipment or structure within two weeks after an inspection, or as approved by the commissioner based on the nature of the problem, availability of materials, and other factors that influence repair efforts.

E. The owner or operator must record inspections in an inspection log or summary and must keep these records for at least five years after the date of inspection. If the owner or operator is involved in an enforcement action, all records must be retained until the action is resolved. The records must include the date and time of the inspection, the name of the inspector, the observations made, and the date and nature of any repairs or other actions taken.

Subp. 5. **Industrial solid waste management.** All industrial solid waste delivered to a solid waste management facility must be managed by the owner or operator to protect human health and the environment. The industrial solid waste management plan required under part 7001.3300 must address items A to C, except that the industrial solid waste management plan for a municipal solid waste combustor ash land disposal facility need not comply with items B and C.

A. The plan must include a discussion of how the owner or operator will manage all industrial solid wastes received at the facility. The owner or operator must specify:

(1) a procedure for notifying industrial solid waste generators of the facility operating requirements and restrictions, including the requirements imposed on haulers serving the facility, the steps required of generators submitting a request for waste management, and the measures to be taken to inform haulers and generators of the facility requirements;

(2) a procedure for evaluating waste characteristics, including the specific analyses that may be required for specific wastes, and the criteria used to determine when analyses are necessary, the frequency of testing, and the analytical methods to be used;

(3) a procedure for managing the waste and for identifying any special management requirements, and the rationale for accepting or rejecting a waste based on its analysis, volume, and characteristics;

(4) a procedure for inspecting industrial solid waste as it is delivered and the rationale for accepting or requiring further information and review of previously approved and unapproved waste as it is delivered.

B. The plan must address how the following categories of waste will be managed to comply with the requirements of item A, subitems (2) to (4):

- (1) empty pesticide containers;
- (2) asbestos;
- (3) waste containing polychlorinated biphenyls at a concentration less than 50 ppm;
- (4) spilled nonhazardous materials;
- (5) rendering and slaughterhouse wastes;
- (6) wastes that could spontaneously combust or that could ignite other waste because of high temperatures;
- (7) foundry waste;
- (8) ash from incinerators, resource recovery facilities, and power plants;
- (9) paint residues, paint filters, and paint dust;
- (10) sludges, including ink sludges, lime sludge, wood sludge, and paper sludge;
- (11) fiberglass, urethane, polyurethane, and epoxy resin waste;
- (12) spent activated carbon filters; and
- (13) any other wastes that can be identified.

C. The owner or operator must indicate in the plan any wastes in item B or D that will not be accepted at the facility.

D. The owner or operator need not address the following wastes in the plan:

- (1) paper and cardboard wastes from manufacturing processes or packaging;
- (2) food and beverage packaging and handling materials;

- (3) food not containing free liquids;
- (4) aluminum, iron, steel, glass, wood, and hardened, cured plastic waste;
- (5) dewatered sewage sludge that meets the Class B pathogen reduction standards in part 7041.1300, subpart 3;
- (6) compost including sewage sludge compost produced in accordance with part 7035.2836;
- (7) grit and bar screenings from a wastewater treatment plant; and
- (8) ash from boilers and incinerators using only wood as a fuel source.

E. The owner or operator must amend the plan whenever the management practices or wastes identified in items A and B have changed. The owner or operator shall submit the amended plan to the commissioner for approval or disapproval.

Subp. 6. **Household hazardous waste management.** A solid waste management facility operator, not including a transfer facility operator, must develop a plan by June 30, 1992, addressing household hazardous wastes and must include in the plan an explanation of how it will comply with the requirements of items A to C.

A. The facility operator must provide a summary of the approved county plan for household hazardous waste education programs and management and a discussion of how the operator will participate in county activities and coordinate with that plan.

B. The facility operator shall participate with the operator's county in education programs or projects which will promote the identification and reduction of household hazardous waste in the home and which will promote the proper handling and disposal of this waste. Such projects undertaken by the facility operator must be coordinated with county projects whenever possible and literature or other public information must be consistent with the county's household hazardous waste public education programs. In addition to activities conducted in conjunction with the county's program, facility activities must include:

- (1) providing public information on dates and times of household hazardous waste collections in the facility's service area;
- (2) providing public information to help identify household hazardous waste; and
- (3) providing public information on ways to reduce household hazardous waste generation.

The information in subitems (1) to (3) must be made available at the facility for public use, for the county, and for other entities that are associated with solid waste management in the facility's service area.

C. Household hazardous waste that is segregated from other solid waste and managed at the facility must be managed according to part 7045.0310 or applicable hazardous waste generator standards.

Statutory Authority: *MS s 115.03; 115A.97; 116.07*

History: *13 SR 1150; 15 SR 2106; 16 SR 2321; 20 SR 715; 21 SR 327; 21 SR 1642; 28 SR 1086; 30 SR 529*

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