

7046.0010 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 7046.0010 to 7046.0070, the following words have the meanings given them.

Subp. 2. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 2a. **Closed system.** A "closed system" means a conveyance system for waste that consists entirely of permanent and rigid components where no human handling is needed to convey the waste from the point where it becomes a waste to the point of discharge to a sewer system.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Pollution Control Agency or his or her designee.

Subp. 4. **Facility.** "Facility" means all contiguous land, structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units, such as one or more landfills, surface impoundments, or combinations thereof.

Subp. 4a. **Free liquids.** "Free liquids" means liquids that readily separate from the solid portion of the waste under ambient temperature and pressure.

Subp. 5. **Generator.** "Generator" means any person, by site, whose act or process produces a hazardous waste or whose act first causes a hazardous waste to become subject to regulation. "By site" means by each location required to have a unique identification number.

Subp. 6. **Hazardous waste.** "Hazardous waste" has the meaning given in Minnesota Statutes, section 116.06, subdivision 11.

Subp. 7. **Indoor tank.** "Indoor tank" means a tank completely enclosed within a building or sheltered from the elements within a roofed structure with no fewer than three complete solid walls.

Subp. 8. **Injection well.** "Injection well" means a shaft or pit generally of a cylindrical form, dug or bored into the earth and often walled with bricks or tubing to prevent the earth from caving in into which fluids are injected.

Subp. 9. **Land treatment facility.** "Land treatment facility" means a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface. A land treatment facility is a disposal facility if the waste will remain after closure.

Subp. 10. **Landfill.** "Landfill" means a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a land treatment facility, a surface impoundment, or an injection well.

Subp. 10a. **Large quantity generator.** "Large quantity generator" has the meaning given in part 7045.0206.

Subp. 10b. **Metropolitan area generator.** "Metropolitan area generator" means a generator whose hazardous waste generation site is located in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County.

Subp. 11. **Nonmetropolitan area generator.** "Nonmetropolitan area generator" means a generator whose hazardous waste generation site is located in a Minnesota county other than Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

Subp. 12. **Operator.** "Operator" means the person responsible for the overall operation of a facility.

Subp. 13. **On-site.** "On-site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection, and access is by crossing as opposed to going along the right-of-way. Noncontiguous property owned by the same person but connected by a right-of-way which he or she controls and to which the public does not have access is also considered on-site property.

Subp. 14. **Outdoor tank.** "Outdoor tank" means a tank not enclosed within another structure or which is sheltered within a structure with fewer than three complete walls and which may or may not have a roof.

Subp. 15. **Owner.** "Owner" means the owner of a facility or part of a facility.

Subp. 16. **Pile.** "Pile" means a noncontainerized accumulation of solid, nonflowing hazardous waste that is used for treatment or storage.

Subp. 17. [Repealed, 16 SR 1646]

Subp. 17a. [Repealed, 16 SR 1646]

Subp. 17b. **Sewer system.** "Sewer system" means a tributary or tributaries to a publicly owned treatment works or to a facility holding a national pollutant discharge elimination system (NPDES) permit or state disposal system (SDS) permit.

Subp. 18. **Sewered wastes.** "Sewered wastes" means wastes that are discharged to a sewer system and that are hazardous wastes at the point of generation before treatment or commingling with other wastewater which may or may not render them nonhazardous.

Subp. 18a. **Small quantity generator.** "Small quantity generator" has the meaning given in part 7045.0206.

Subp. 19. **Storage.** "Storage" means the holding or accumulation of hazardous waste for a temporary period at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

Subp. 20. **Surface impoundment, impoundment.** "Surface impoundment" or "impoundment" means a facility or part of a facility which is a natural topographic depression, artificial excavation, or diked area formed primarily of earthen materials which is designed to hold an accumulation of liquid hazardous wastes or hazardous wastes containing free liquids and which is not an injection well or seepage facility. Examples of surface impoundments are holding, storage, settling and aeration pits, ponds, and lagoons. Impoundments may be lined with synthetic materials.

Subp. 21. **Tank.** "Tank" means a stationary device which is designed to contain an accumulation of hazardous wastes and which is constructed primarily of nonearthen materials such as wood, concrete, steel, and plastic, which provide structural support.

Subp. 22. **Thermal treatment.** "Thermal treatment" means the treatment of hazardous waste in a device which uses elevated temperatures as the primary means to change the chemical, physical, or biological character or composition of the hazardous waste. "Thermal treatment" includes the processes of incineration, molten salt, pyrolysis, calcination, wet air oxidation, and microwave discharge.

Subp. 23. **Treatment.** "Treatment" means any method, technique, or process, including neutralization, that is designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize the waste, so as to recover energy or material resources from the waste, or so as to render the waste nonhazardous, or less hazardous, safer to transport, store, or dispose of, or amenable for recovery, amenable for storage, or reduced in volume.

Subp. 24. [Repealed, 18 SR 1665]

Subp. 24a. **Very small quantity generator.** "Very small quantity generator" has the meaning given in part 7045.0206.

Subp. 25. **Waste stream.** "Waste stream" means wastes generated by the same process at a generator's site.

Statutory Authority: *MS s 116.12*

History: 8 SR 1781; 9 SR 2341; L 1987 c 186 s 15; 16 SR 1646; 17 SR 1279; 18 SR 1665; 31 SR 985

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