Pollution Control Agency

Adopted Rules Governing the Use, Reuse, Recycling, or Reclamation of Waste

Rules as Adopted

7045.0125 MANAGEMENT OF WASTE BY USE, REUSE, RECYCLING, AND RECLAMATION.

Subpart 1. [Unchanged.]

Subp. 2. **Requirements.** A hazardous waste that is to be beneficially used, reused, or legitimately recycled or reclaimed is exempt from parts 7045.0205 to 7045.1030, and the agency's permitting requirements in chapter 7001, except as specified in items A to F. Hazardous waste must be transported in accordance with all applicable requirements in Minnesota Statutes, section 221.033 and Code of Federal Regulations, title 49, parts 171 to 179.

A. to E. [Unchanged.]

F. A hazardous waste that is not a sludge as defined in Code of Federal Regulations, title 40, section 260.10 (1984), and that is hazardous only because it has a pH greater than 12.5, contains no listed hazardous wastes, has been demonstrated not to be an irritative substance under the procedures of part 7045.0142, and is being accumulated, stored, or treated prior to beneficial use, reuse, recycling, or reclamation, is subject to the requirements of parts 7045.0214 to 7045.0217, 7045.0220 to 7045.0230, 7045.0240 to 7045.0249, 7045.0296, and 7045.1000 to 7045.1030.

Subp. 3. [Unchanged.]

7045.0142 METHOD OF TESTING PRIMARY IRRITATIVE SUBSTANCES.

An irritative substance is a substance exhibiting skin irritation of an empirical score of five or more as determined by the following procedure. Primary irritation to the skin is measured by a patch-test technique on the abraded and intact skin of the albino rabbit, clipped free of hair. A minimum of

six subjects are used in abraded and intact skin tests. Introduce under a square patch, such as surgical gauze measuring one inch by one inch and two single layers thick, 0.5 milliliter (in the case of liquids) or 0.5 gram (in the case of solids and semisolids) of the test substance. Dissolve solids in an appropriate solvent and apply the solution as for liquids. The animals are immobilized with patches secured in place by adhesive tape. The entire trunk of the animal is then wrapped with an impervious material, such as rubberized cloth, for the 24-hour period of exposure. This material aids in maintaining the test patches in position and retards the evaporation of volatile substances. After 24 hours of exposure, the patches are removed and the resulting reactions are evaluated on the basis of the designated values in the following table:

Skin reaction	Value*
Erythema and eschar formation:	
No erythema	0
Very slight erythema (barely perceptible)	1
Well-defined erythema	2
Moderate to severe erythema	3
Severe erythema (beet redness) to slight eschar formations (injuries in depth)	4
Edema formation:	
No edema	0
Very slight edema (barely perceptible)	1
Slight edema (edges of area well defined by definite raising)	2
Moderate edema (raised approximately one millimeter)	3
Severe edema (raised more than one millimeter and extending beyond the area of exposure)	4

*The "value" recorded for each reading is the average value of the six or more animals subject to the test.

Readings are again made at the end of a total of 72 hours (48 hours after the first reading). An equal number of exposures are made on areas of skin that have been previously abraded. The abrasions are minor incisions through the stratum corneum, but not sufficiently deep to disturb the derma or to produce bleeding. Evaluate the reactions of the abraded skin at 24 hours and 72 hours, as described in this paragraph. Add the values for erythema and eschar formation at 24 hours and at 72 hours for intact skin to the values on abraded skin at 24 hours and at 72 hours (four values). Similarly, add the values for edema formation at 24 hours and at 72 hours for intact and abraded skin (four values). The total of the eight values is divided by four to give the primary irritation score; for example:

Skin reaction	Exposure time (hours)	Evaluation value
Erythema and eschar formation:		
Intact skin	24	2
Do	72	1
Abraded skin	24	3
Do	72	2
Subtotal		8
Edema formation:		
Intact skin	24	0
Do	72	1
Abraded skin	24	1
Do	72	2
Subtotal		4
Total		12

Thus, the primary irritation score is 12 ÷ 4 = 3.