

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Household Hazardous Waste

4

5 Rules as Adopted

6 7001.0520 PERMIT REQUIREMENTS.

7 [For text of subpart 1, see M.R.]

8 Subp. 2. Exclusions. A person who conducts any of the
9 following activities is not required to obtain a hazardous waste
10 facility permit for that activity:

11 [For text of items A to J, see M.R.]

12 K. Household hazardous waste collection programs
13 meeting the requirements of part 7045.0310.

14 [For text of subps 3 to 6, see M.R.]

15 7045.0020 DEFINITIONS.

16 [For text of subps 1 to 37, see M.R.]

17 Subp. 37a. Household. "Household" has the meaning given
18 in Minnesota Statutes, section 115A.96, subdivision 1, paragraph
19 (a).

20 Subp. 37b. Household hazardous waste. "Household
21 hazardous waste" has the meaning given in Minnesota Statutes,
22 section 115A.96, subdivision 1, paragraph (b).

23 Subp. 37c. Household waste. "Household waste" means any
24 material including garbage, trash, and sanitary wastes in septic
25 tanks derived from households, including single and multiple
26 residences, hotels and motels, bunkhouses, ranger stations, crew
27 quarters, campgrounds, picnic grounds, and day-use recreation
28 areas.

29 [For text of subps 38 to 109, see M.R.]

30 7045.0120 EXEMPT WASTES.

31 The following wastes may be stored, labeled, transported,
32 treated, processed, and disposed of without complying with the
33 requirements of this chapter:

34 A. ~~household-waste-and-collected-household-hazardous~~

1 ~~waste-to-the-extent-that-the-requirements-in-part-7045.0310-are~~
2 ~~met~~ collected household hazardous waste, to the extent that the
3 requirements in part 7045.0310 are met, and household waste;

4 [For text of items B to P, see M.R.]

5 7045.0310 SPECIAL REQUIREMENTS FOR WASTE COLLECTED AS RESULT OF
6 HOUSEHOLD HAZARDOUS WASTE MANAGEMENT PROGRAM.

7 Subpart 1. **Applicability.** ~~A-person~~ An operator who
8 establishes or operates all or part of a household hazardous
9 waste management program is only required to comply with the
10 requirements in this part with respect to collected household
11 hazardous waste. "Household hazardous waste management program"
12 means:

13 A. a program established to accept or collect
14 household hazardous waste from households, except as otherwise
15 provided in part 7045.0685;

16 B. a program established by a resource recovery
17 facility to segregate household hazardous waste from household
18 waste; or

19 C. a program established by a solid waste disposal
20 facility to segregate household hazardous waste from household
21 waste during processing activities.

22 Subp. 2. **Notification.** ~~A-person~~ An operator who intends
23 to establish or operate all or part of a household hazardous
24 waste management program shall ensure that the information
25 required in items A to K is submitted to the commissioner at
26 least 30 days before initiating the household hazardous waste
27 management program. This notification is not required for
28 collection sites for which a permit is required under part
29 7001.0520.

30 The notification shall provide a complete description of
31 the program including, as applicable:

32 A. the name, address, and telephone number of ~~persons~~
33 operators establishing the program;

34 B. the location of all household hazardous waste
35 collection sites;

1 C. the duration and operating hours of the program;

2 D. the intended program service area;

3 E. the manner in which waste will be collected,
4 stored, treated, transported, and disposed of;

5 F. the amount of time the person operator intends to
6 store collected waste at individual collection sites;

7 G. a description of the physical structures to be
8 used to collect and store collected waste;

9 H. a description of personnel safety training to be
10 given;

11 I. a description of the safety and emergency
12 procedures established for the program;

13 J. any other information necessary to describe all
14 aspects of the program; and

15 K. the name and address of all waste transporters and
16 the facilities which will treat or dispose of the waste.

17 Persons Operators who submit a notification and
18 subsequently change any aspect of the program as described in
19 the notification must submit, within 30 days of making the
20 change, an amended notification to the commissioner fully
21 describing the program changes.

22 Subp. 3. **Management requirements.** ~~A-person~~ An operator
23 who establishes or operates all or part of a household hazardous
24 waste management program shall ensure that collected waste is
25 managed in compliance with the hazardous waste generator
26 requirements in parts 7045.0205 to 7045.0304, except as modified
27 in items A to H.

28 A. The person operator need not comply with the
29 disclosure and management plan requirements of parts 7045.0220,
30 7045.0230, and 7045.0240 to 7045.0249.

31 B. The person operator need not obtain a generator
32 identification number as required in part 7045.0221, unless or
33 until the person operator transports or offers for transport
34 household hazardous waste for off-site treatment, storage, or
35 disposal at a permitted hazardous waste facility.

36 C. The person operator need not meet the personnel

1 training, preparedness, prevention, and contingency planning
2 requirements of part 7045.0292, subpart 1, item H.

3 D. The person operator may only transport or offer
4 for transport household hazardous waste for off-site activities
5 to a facility that either has a hazardous waste permit or has
6 obtained the commissioner's approval under subpart 6.

7 E. If the person operator transports or offers for
8 transport household hazardous waste for off-site activities at a
9 facility that has obtained the commissioner's approval under
10 subpart 6, the person operator:

11 (1) may, in lieu of a manifest, prepare and use a
12 shipping paper containing all the information required on a
13 manifest in part 7045.0261, excluding the identification number,
14 to comply with the requirements of parts 7045.0205 to 7045.0304;

15 (2) may, in lieu of designating a facility or
16 alternate facility as required in part 7045.0261, subpart 2,
17 designate a facility approved under subpart 6 on the shipping
18 paper prepared under subitem (1);

19 (3) must either designate another facility
20 approved under subpart 6 or instruct the transporter to return
21 the waste, if the transporter is unable to deliver the household
22 hazardous waste to the facility designated on the shipping
23 paper; and

24 (4) need not comply with the waste management
25 requirements of part 7045.0275, subpart 1.

26 F. If the person operator intends to store household
27 hazardous waste for more than 90 days after the accumulation
28 start date as provided in part 7045.0292, the person operator
29 must obtain the approval of the commissioner as set out in
30 subpart 6, but no facility permit is required unless the person
31 operator treats or disposes of the waste on-site.

32 G. The person operator need not comply with the
33 record keeping requirements of part 7045.0294, subparts 2 and 3.

34 H. The person operator need not comply with the
35 annual reporting requirements of part 7045.0296.

36 Subp. 4. **Additional requirements.** In addition to the

1 requirements in subpart 3, ~~a-person~~ an operator who establishes
2 or operates all or part of a household hazardous waste
3 management program, shall also comply with the requirements for
4 personnel training, ignitable, reactive, or incompatible wastes,
5 preparedness and prevention, arrangements with local authorities
6 for emergencies, contingency planning, emergency procedures, and
7 postemergency procedures in parts 7045.0454, subparts 1 to 3;
8 7045.0456, subparts 1 and 2; 7045.0462; 7045.0464; 7045.0468;
9 7045.0470; and 7045.0572, respectively.

10 Subp. 5. **Transportation requirements.** ~~A-person~~ An
11 operator or other persons who ~~transports~~ transport waste
12 collected as a result of a household hazardous waste management
13 program shall transport collected waste in compliance with the
14 requirements in items A to C.

15 A. A transporter may not accept household hazardous
16 waste from any ~~person~~ operator who establishes or operates all
17 or part of a household hazardous waste management program unless
18 the waste is accompanied by either a manifest signed by the
19 generator according to parts 7045.0205 to 7045.0304 or a
20 shipping paper prepared according to subpart 3, item E, subitem
21 (1).

22 B. If the designated facility to which the household
23 hazardous waste is destined has a hazardous waste facility
24 permit, the transporter shall comply with all of the hazardous
25 waste transporter requirements in parts 7045.0351 to 7045.0397.

26 C. If the designated facility to which the household
27 hazardous waste is destined is a facility that has obtained
28 approval from the commissioner under subpart 6, the transporter
29 shall comply with the hazardous waste transporter requirements
30 in parts 7045.0351 to 7045.0395, except:

31 (1) part 7045.0361; and

32 (2) a shipping paper prepared according to
33 subpart 3, item E, subitem (1), may be used, in lieu of a
34 manifest, to comply with the requirements of parts 7045.0351 to
35 7045.0395.

36 D. An operator who transports waste for hire in

1 Minnesota must obtain for-hire operating authority from the
2 Minnesota Transportation Regulation Board as required by
3 Minnesota Statutes, chapter 221.

4 Subp. 6. Storage of collected wastes. ~~A-person~~ An
5 operator who stores household hazardous waste for more than 90
6 days must comply with the requirements of items A to E.

7 A. No ~~person~~ operator may store household hazardous
8 waste for more than 90 days after the accumulation start date as
9 provided in part 7045.0292, without the approval of the
10 commissioner. A ~~person~~ operator may request approval from the
11 commissioner to store household hazardous waste for more than 90
12 days.

13 B. ~~A-person~~ An operator intending to store household
14 hazardous waste for more than 90 days must submit a request for
15 approval to the commissioner at least 30 days before initiating
16 a household hazardous waste program. The commissioner shall
17 approve the request if the commissioner determines that, based
18 on the information contained in the request, the storage and
19 management practices employed at the storage facility will
20 appropriately protect human health and the environment from any
21 adverse effects associated with the household hazardous waste.

22 C. If the commissioner approves a request, the ~~person~~
23 operator shall manage the waste in compliance with the
24 applicable standards in part 7045.0526 for the use and
25 management of containers, but no hazardous waste facility permit
26 is required unless the ~~person~~ operator treats or disposes of the
27 waste on-site.

28 D. If the commissioner does not approve a request,
29 the ~~person~~ operator must transport or arrange to transport the
30 household hazardous waste for off-site activities at a facility
31 that either has a hazardous waste permit or has obtained the
32 commissioner's approval under this subpart. ~~Persens~~ Operators
33 who store household hazardous waste for more than 90 days
34 without the commissioner's approval are in violation of this
35 chapter.

36 E. If the ~~person~~ operator has not submitted a request

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1 as required under item B, or if the commissioner does not
2 approve a request, the commissioner may still grant a storage
3 extension if household hazardous waste must remain on-site for
4 longer than 90 days due to unforeseen, temporary, and
5 uncontrollable circumstances as provided in part 7045.0292,
6 subpart 3.