

## Compliance Guide for HAZARDOUS WASTE GENERATORS



*This guide is meant to assist Washington County Very Small Quantity Generators (VSQG) with hazardous waste compliance. It is the generator's responsibility to know the rules and regulations and to properly manage their hazardous waste at all times.*

Visit our website at [www.co.washington.mn.us/HazWaste](http://www.co.washington.mn.us/HazWaste) to obtain an electronic copy.



The Washington County Department of Public Health and Environment  
is accredited by the Public Health Accreditation Board

## REGULATIONS

*The Washington County Department of Public Health and Environment license hazardous waste (HW) generators to protect the environment and people from exposure to hazardous materials.*

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Hazardous waste is any waste that may pose a hazard to human health or the environment when improperly: treated, stored, handled, transported, or disposed.

Hazardous waste are managed and regulated in accordance with the following rules and regulations:

- Minnesota Administrative Rules, [Chapter 7045, Hazardous Waste](#)
- Washington County [Hazardous Waste Management Ordinance #195](#)

## RESOURCES

- **Washington County Outreach Team** provides technical assistance including new hazardous waste contact staff training. For additional information email [PHE-HazWaste@co.washington.mn.us](mailto:PHE-HazWaste@co.washington.mn.us) or call 651-430-6655 to schedule a non-regulatory site visit.
- **Minnesota Pollution Control Agency (MPCA)** has compiled several hazardous waste publications. Go to: [www.pca.state.mn.us](http://www.pca.state.mn.us) and search for hazardous waste publications.
- **MN Technical Assistance Program (MnTAP)** helps MN businesses develop and implement cost effective pollution prevention strategies to improve public health and the environment. Go to: [www.mntap.umn.edu](http://www.mntap.umn.edu) for more information.

## LICENSE

Organizations that generate hazardous waste (HW) must obtain a HW license from the County and manage the waste according to standards prescribed in the HW Management State Rules and the Washington County HW Ordinance.

### A. Hazardous Waste (HW) generator license

- Must be prominently **posted** in a public area.
- **HWID** (Hazardous Waste ID) also known as the EPA ID is on the license.
- HW generator licenses fees are based on generator size and the amount of hazardous waste volume generated in the previous calendar year.
- [Fee schedule](#) is posted on-line.

### B. Changes to your License:

- Licenses are non-transferrable. Contact your inspector for a close out inspection as soon as you know you will be moving or selling.
- You must **notify** the Department at [PHE@co.washington.mn.us](mailto:PHE@co.washington.mn.us) AND the Minnesota Pollution Control Agency ([MPCA](#)) for any of the following **changes**:
  - ✓ Moving or selling your business
  - ✓ Hazardous waste site contact personnel change
  - ✓ Business name or ownership change
  - ✓ Business mailing address change
- Notify the [MPCA](#) using the MPCA's e-Services Notification portal:
  - ✓ Go to <https://rsp.pca.state.mn.us/> to create your e-Services account and to make notifications.
  - ✓ Go to <https://www.pca.state.mn.us/waste/hazardous-waste-documents-and-forms> and look under Forms for a written guide: [Notification of Regulated Waste Activity e-Services Instructions](#) or click [HERE](#) for a YouTube instructional video as to how to navigate the e-Services system.
  - ✓ Contact the MPCA at: [hw-licensing.pca@state.mn.us](mailto:hw-licensing.pca@state.mn.us) with questions and or comments regarding the e-Services system.

Washington County  
2015-2016 Hazardous Waste Generator License  
Department of Public Health and Environment  
1449 42nd Street North, PO Box 6  
Walker, MN 56002-0006  
Office: 651-436-6555 Fax: 651-436-4739

Licensee: Gateway to Central MN  
Generator: Lake Wabegon Public Works  
EPA ID Number: MND 985 988 987

Contact: Ralph Anderson Telephone: (651) 436-6555  
Site Address: 1983 Mason ST Generator Number: 2142  
City: 0 License Fee Paid: \$95.00  
Mailing Address: 1983 Mason ST Generator Size: Very Small Quantity Generator  
Walker on Lake Creek, MN

WHEREAS, Gateway to Central MN has paid the license fee to the County of Washington as required by the Hazardous Waste Management Ordinance and has complied with all the requirements of said Ordinance necessary for obtaining this license.

NOW, THEREFORE, by order of the Washington County Board of Commissioners, and by virtue thereof, Gateway to Central MN is hereby licensed and authorized to operate as a Hazardous Waste Generator for the period of May 1, 2015, through April 30, 2016, and is subject to all provisions of said Ordinance, including those listed in MN Rules at, 7045.0243, subp. 2, and any conditions prescribed in the Hazardous Waste License Attachment.

Application to renew this license must be made by January 31, 2016.

Dated: September 29, 2015

Gerald Cooper  
Environmental Program Supervisor

This License is Conditional by Attached General and Specific Conditions  
**THIS LICENSE MUST BE POSTED and be KEPT TRANSPARENTLY AVAILABLE**

If you need assistance due to disability or language barrier, please call 651-436-6555 (TTY 651-436-4245)

Example: HW Generator License

### C. Renewing your License:

- HW generator licenses in Washington County **expire April 30** of each year
- Applications to renew HW generator licenses are **due January 31** each year
- HW generator license renewal applications are mailed to generators **mid-December**
- License renewal application include the following:
  1. **Annual Waste Report.** This where you report hazardous waste amounts GENERATED for that calendar year in gallons or pounds.
  2. Worker's Compensation Insurance Coverage Form
  3. MN Tax Identification Number Form
  4. **Payment** as invoiced for the license renewal. Payment can be done online at: [www.co.washington.mn.us/PHEPAY](http://www.co.washington.mn.us/PHEPAY).

## EVALUATE WASTE

All waste in Minnesota is considered hazardous until evaluated and determined otherwise. Use the following methods to help determine if you generate hazardous waste.

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### A. Review Safety Data Sheets (SDS)

If you answer yes to any of the questions **Q1 – Q3**, your waste may be hazardous. **Keep in mind SDSs only gives information about the product before use.** Products can be contaminated or change chemically through use and become hazardous. Further, the SDS may not report ingredients in low concentrations that could make the waste hazardous.

#### Q1: Does the waste exhibit a hazardous CHARACTERISTIC?



**Ignitable –D001.** A liquid with a flash point below 140 degrees Fahrenheit.



**Oxidizer –D001.** A substance that supplies oxygen to a reaction in the absence of air.



**Corrosive –D002.** A liquid with a pH of 2 or less, 12.5 or more.



**Reactive –D003.** Wastes that are unstable, or can react violently, produce toxic gases, or form potentially explosive mixtures when mixed with water.



**Toxic –D004-043.** A waste that will leach hazardous contaminants above the maximum allowable concentrations as specified in the TCLP contaminants table. See the [TCLP list \(D – list\)](#) for details.



**Lethal –MN01.** A characteristic specific to MN, is a waste if its oral or dermal median lethal dose (LD50) or inhalation median lethal concentration (LC50) is less than the hazardous waste threshold specific to MN. See [The Lethality Characteristic](#) factsheet for more detail.

#### Q2: Are any of the ingredients listed on one of the four hazardous waste LISTS:

**F list:** - Used solvents from manufacturing processes such as metal treating and wood preserving, also commonly used in auto repair shops.

**P list:** - Acute hazardous waste. The listed chemical must be the **sole active ingredient**.

**K list:** - Waste from manufacturing processes such as petroleum refining.

**U list:** - Wastes that are discarded commercial products that contain certain ingredients.

#### Q3: Does the waste contain Polychlorinated biphenyls (PCBs)

A waste containing greater than 50 parts per million (ppm) or greater of polychlorinated biphenyls is considered a **PCB waste** and must be [managed properly](#).

## B. Test your waste

Evaluate your waste by laboratory analysis meaning collect a representative sample of the waste, run a specified laboratory test on the sample, and compare it to the hazardous waste thresholds to determine if it is hazardous.

- A test to evaluate a waste for the toxicity characteristic is the Toxicity Characteristic Leaching Procedure (TCLP). See MPCA factsheet [Characteristic Hazardous Waste](#) for more detail.

## C. Generator Knowledge

Evaluating by knowledge means applying objective, documented information and scientific or industry-accepted reasoning to determine that a waste is not hazardous. You do not have to evaluate your waste if you assume it is hazardous and manage it as a fully regulated waste. See MPCA factsheet [Evaluate Waste](#) for more details.

## D. Hazardous Waste Codes

Upon **determining your waste is hazardous** either by a characteristic feature or it meets a listed waste definition, it is a PCB, or through testing it was determined to be hazardous. You will then need to determine the applicable waste codes for each hazardous waste stream. A waste code is a **four-character code**. A hazardous waste may carry more than one waste code.

- **Hazardous waste codes are used** for identifying your hazardous waste on your management plan, annual waste reports and when shipping on a hazardous waste manifest.
- **Acute hazardous wastes** are identified by a P listed waste code and or by one of the six F-listed wastes: F020 – F023, F026 and F027. Acute hazardous wastes are subject to increased regulatory requirements.
- **Infectious waste** such as sharps and certain body fluids are **NOT** hazardous waste unless mixed with a hazardous waste which then makes it a **DUAL HAZARDOUS WASTE**
- **Common hazardous waste codes:**

<b>D001:</b> Flammable Liquids – <i>characteristic</i> <b>D008:</b> Lead – <i>characteristic</i> <b>D035:</b> MEK – <i>characteristic</i> <b>D009:</b> Mercury – <i>characteristic</i> <b>F003:</b> Acetone, Methanol, xylene – <i>listed</i> <b>F005:</b> Benzene, toluene – <i>listed</i> <b>P075:</b> Nicotine – <i>listed</i>	<b>MN01:</b> Waste Pharmaceuticals – <i>lethal</i> <b>MN03:</b> PCBs > 50 ppm  <b>WC01:</b> Used Oil – <i>Washington County specific</i> <b>WC02:</b> Used Oil Filters – <i>Wash Co specific</i> <b>WC03:</b> Oil rags/sorbent – <i>Wash Co specific</i>
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## E. New Wastes Stream

You may generate a new waste stream when your organization changes chemicals, products, or processes.

- New wastes must be **evaluated within 60 days**.
- You have **75 days to update your hazardous waste [management plan](#)**. **HINT:** Save the management plan to your desktop to enable the fillable features.

## GENERATOR SIZE

Washington County regulates and licenses hazardous waste generators by one of three categories: Very Small Quantity Generators (**VSQG**), Small Quantity Generators (**SQG**) and Large Quantity Generators (**LQG**).

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**A. Generator size** is determined by the **maximum monthly hazardous waste generated** at a site in a calendar month. Use the guidelines below to [determine your generator size](#).

**B. Generator volume limits per calendar month:**

**VSQGs** may **generate** in a calendar month up to:

- 220 pounds or less of hazardous waste
- 2.2 pounds or LESS of acute hazardous waste
- VSQGs may **accumulate** up to 2,200 pounds (about 4, 55 gallon drums) of hazardous waste before additional regulations apply

**SQGs** may generate in a calendar month up to:

- More than 220 pounds but less than 2,200 of hazardous waste
- 2.2 pounds or LESS of acute hazardous waste
- SQGs may **accumulate** up to 6,000 pounds for 180 days from accumulation start date

**LQGs** may **generate** in a calendar month up to:

- More than 2,200 pounds of hazardous waste
- More than 2.2 pounds of acute hazardous waste



*220 pounds is about ½ a 55 gallon drum*



*2,200 pounds is about four 55 gallon drums*

**C. Wastes that if managed properly, do not count toward your generator size** include:

- **Universal Waste** including: batteries, bulbs, mercury containing equipment, amalgam scraps and filters and pesticides
- **Used Oil**, oil filters and oil related materials
- Acute (P-listed) hazardous waste **empty containers**

## Universal Wastes and Used Oil

Universal wastes and used oil are subsets of hazardous waste that may be managed under reduced requirements in Minnesota provided certain conditions are met.

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### A. Universal Waste (UW)

**Include:** batteries (rechargeable), fluorescent bulbs, mercury-containing equipment, dental amalgam scrap traps and filters, and pesticides.

**Recycle or dispose annually.** Date the container when you start filling it and you must recycle the waste within one year from that date.

- Visit [RethinkRecycling.com](http://RethinkRecycling.com) for a list of business that recycles universal waste.
- Can be transported by the generator, no manifest or bill of lading required.

**Keep recycling records.** Generators must keep a record, or [recycling log](#) or receipts for each shipment of UW recycled.

- Records must include: quantity and date recycled or shipped, name, address and phone number of the recycler.
- Provided universal wastes are managed properly and recycling records / logs are in compliance you **do not need to report** UW volumes recycled on your hazardous waste annual report.



### B. Used Oil

**Include:** [Used oil](#) includes petroleum-based or synthetic oils which have been used as lubricants, hydraulic fluids, heat transfers, or for similar uses. Used oil related wastes include any other waste or debris contaminated with used oil.

**Recycle or burn used oil as fuel.**

**Keep records.** Generators must keep used oil and related waste shipment receipts for at least three years from the shipment date including testing records, volumes burned on-site, receipts from sale of used oil and disposal receipts.

- Used oil and related materials waste volumes **are required to be reported** annually on your hazardous waste annual report during license renewal.



# CONTAINERS

Generators must select and use proper containers for waste storage.

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## A. Condition

- Waste containers must be sturdy, leak proof and able to fully contain all the waste contents.
- Secondary containment is always a good practice for storing liquid wastes. It is a requirement if storing HW outdoors.



## B. Compatibility

- Waste containers must be compatible with the waste.
- A steel drum or metal container is NOT a compatible container for liquid corrosive wastes.
- Incompatible wastes must be stored in separate containers.

## C. Closed

- Waste containers must **always be closed except** when adding or removing waste.
- Open funnel/lid held closed by gravity is NOT considered a closed container. Make sure your funnel/lid latches.
- Closed container requirement **applies to Universal Waste and Used Oil as well.**
- Example: make sure your bad bulbs are stored in a closed, sturdy, container.



## LABELING

Labeling allows employees and emergency personnel to identify the contents of a container and determine a response to any incident.

### A. Hazardous Waste

- **Hazardous waste** must be labeled with the words “**HAZARDOUS WASTE**” and a clear descriptive name.
- **Accumulation start dates** are required for all hazardous waste in **storage**. The date is the date the first waste was put in the container in storage.
- Hazardous waste that meets the definition of satellite accumulation does not a start date.



### B. Used Oil and Oil related waste

- Label as used oil, used oil filters, or oily sorbents / rags.
- No start date requirements for Used Oil and oil related materials.



### C. Universal waste

- Label as “Universal Waste”, “Bad Bulbs”, “Mercury for Recycling”, “Spent Batteries”, etc. to clearly identify the closed containers contents.
- Accumulation start date is not required however it is a good practice if there is no other way to prove that the universal wastes are being recycled or disposed of annually.



## STORAGE

Know the regulatory requirement differences between hazardous waste satellite accumulation and hazardous waste in storage.

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### A. Satellite accumulation

- Hazardous waste accumulating at the point of generation.
- Under the direct control of the generator or operator.
- Less than 55 gallons per waste stream.
- Properly labeled: “Hazardous Waste” and a clear descriptive name,
- Start date not required. When full, date and move to designated hazardous waste storage area within 3 days.
- If all the requirements are met, no weekly inspections are required.



*Example: Satellite container at a nurse station with a sharps container above*

### B. Storage container

- Hazardous waste is considered in storage when it is out of the direct control of the generator and or not at the point of generation.
- Must be labeled Hazardous Waste, a clear descriptive name **AND an accumulation start date**.
- Must conduct and document [weekly inspections](#) and all inspection records kept on site for three year and must contain:
  - ✓ Date of the inspection, problems noted, inspectors name,
  - ✓ Date, description and name of person who made any corrective action.

#### Storage Example:

HW stored in a flammable cabinet and added to only once per month.

Requires start date and weekly inspections.



#### Satellite Example:

HW Stored in a drum that is added to daily is at the point of generation and under direct control of operator.

No weekly inspection or start date required.

### C. Additional Storage Requirements

- Know that there are additional requirements if storing hazardous waste outside, in tanks, or other containers. See MPCA factsheet [Accumulate Hazardous Waste](#) for additional details.

## DISPOSAL

Know where your waste goes for treatment, disposal or recycling. The generator is responsible for their wastes from “Cradle to Grave”.

### A. Hazardous waste

Must ship on a [hazardous waste manifest](#).

- As of May 1, 2016 generators are **no longer required to mail** manifest copies to the State.
- Keep the Initial Generator Copy onsite until the final copy is received from the facility where you sent your waste. You should get your final copy within 35 days of shipment.
- Contact the designated facility if no final copy is received within **35 days** to determine the status of your waste.
- Must notify the State within **45 days** if you still have not received the final or three signature copy. Contact your inspector for assistance with the notification.
- **Track shipments:** use the [HW manifest shipment log](#) to help track your waste.

The image shows a sample of a hazardous waste manifest form. It is a multi-page document with various sections for information entry. A red arrow points from the text 'Must ship on a hazardous waste manifest' to the form. The form includes fields for generator information, waste description, and recipient details. The manifest number 00228539 JJK is visible at the top right.

### B. “RCRA Empty” Containers

- Hazardous waste containers with less than 3% of their original capacity of hazardous waste are considered empty and may go in the trash with approval of your solid waste hauler.
- RCRA empty DOES NOT apply to containers that help Acute or P-Listed waste. These containers must be managed as hazardous waste, however the waste volumes do not need to be reported or count towards your generator size thus best to keep them separated from other hazardous waste.

### C. Universal waste

- Must recycle or dispose annually.
- Must keep a record, no receipts required. Use a [recycling log](#) to help track your universal waste.

### D. Used oil, oil filters and oil-related materials

- Ship on a bill of lading (BOL) with a [Used Oil Transporter](#) registered with the MPCA.
- If you mix solvents with your used oil, you must meet certain requirements, log each mix, and include on annual report. See [Parts Cleaner Waste Mixed with Used Oil](#) factsheet for details.

## RECORDKEEPING

*Records must be kept on site for at least three years. Waste records include all license documents, waste evaluations, inspection reports, training records, disposal documents, manifests, BOLs and universal waste records or receipts.*

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### A. Hazardous waste documents

- **Waste evaluations.** All wastes must be evaluated and supporting documentation kept.
- **Container inspections.** Hazardous waste in storage must have documented [weekly inspections](#).
- **Treatment unit inspections.** If your business has an approved management plan for sewerage hazardous waste you must inspect and document inspections and any maintenance conducted on the waste water treatment units.
  - Dental clinics have amalgam waste water treatment units that need to be routinely inspected. Use an [amalgam separator inspection log](#) to help document your inspections.
- **Disposal records** - Hazardous waste manifests, exceptions reports, and related documents; required to keep for at least three years but recommended to keep the final copy of all manifests indefinitely. Use the [HW manifest shipment log](#) to help track your manifested waste.
- **Hazardous scrap metal records.** Some hazardous wastes generated in Minnesota are made of metal that can be recycled, such as lead wheel weights, chrome-plated engine parts, and silver electrodes. While you are not required to keep any specific records of your hazardous scrap metal management, you must be able to demonstrate that your hazardous scrap metal will be/is actually recycled. See MPCA factsheet [Hazardous scrap metal](#) for more details.
- **Reverse Distribution documents.** To be eligible to manage unevaluated or hazardous waste pharmaceuticals through a reverse distributor, you must meet several criteria including having an agreement between with the reverse distributor stipulating that disposal of the waste pharmaceuticals will meet hazardous waste disposal requirements and a records will be kept listing the identity and location of the hazardous waste disposal facility(s) that will ultimately manage the waste pharmaceuticals. See MPCA factsheet [Reverse Distribution of Pharmaceuticals](#) for more details.
- **Solvent mixed with used oil logs.** VSQGs may manage their parts washer solvents with their used oil provided they meet specific criteria and keep record of each time they mixed solvents with used oil. See the [guide to mixing your parts cleaner with used oil](#) for details.

### B. License documents

- License documents include applications, any license conditions, renewal documentation, and management plans for each waste stream.
- Keep records on site for at least three years. See MPCA factsheet [Keep Hazardous Waste Records](#) for additional details.

### C. Training Records

- Keep training records for each hazardous waste employee on site for at least three years.
- Keep training records for each employee subject to Hazardous Materials Regulations (HMR) training, including employees who characterize, package, or label hazardous wastes for shipment on a uniform hazardous waste manifest.
- Training records must be able to show who had what training and when.
- Records may also include instructor, instructor's qualifications, training certificate, outlines, syllabuses, tests and results.
- Training must be specific to the employee's duties and responsibilities with hazardous waste/materials.
- Training requirements are based on generator size.
- See MPCA [Employee Training for Very Small Quantity Generators](#) factsheet for details and links to other training factsheets.

### D. Universal Waste records

- Keep records to show that universal waste has been accumulated on-site for less than one year.
- Use the [Universal Waste recycling log](#) to help track your universal waste.

### E. Used oil documents

- [Used oil generators](#) may burn used oil for heat provided you meet certain conditions including records of the amount of used oil burned on-site.
- When you ship used oil to any other destination in any amount with a [Used Oil Transporter](#); ensure the transporter provides you with a receipt for the used oil or oil related wastes picked up. **The receipt must include:**
  - ✓ The Oil transporter's name
  - ✓ Transporter's HWID
  - ✓ Volume picked up
  - ✓ Date of the shipment
  - ✓ For used oil filter shipments, the transporter's signed certification that the filters will be recycled
- You may send your oily rags and sorbents to a commercial laundry without using a used oil transporter provided you keep records.
- Used oil and oil related wastes are required to be reported annually on your HW license annual report.

## EMERGENCY PREPAREDNESS

*Good emergency preparedness, recordkeeping, and employee training help prevent accidents and spills. Make sure your organization is trained and prepared in case of an incident.*

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### A. Operate to prevent a release

- Generators are required to maintain their facility and operate to minimize the possibility a HW release or incident.
- Generators must comply with all applicable OSHA standards and the Minnesota State Fire Code.
- Report spills to the [State Duty Officer](#) by calling: 651-649-5451. See next page for the Minnesota State Duty Officer posting. Minnesota has a reporting threshold of greater than five-gallons for petroleum spills. Spills of any quantity of all other chemicals or materials should be reported if it threatens public health or the environment; see [Reporting spills and leaks](#).
- Develop an emergency plan for your business or operation. **Emergency Planning guides** can be found on the [MPCA](#) web page under hazardous waste publications for [VSQGs](#), [SQGs](#), and [LQGs](#).

### B. Emergency Equipment

- Have appropriate and adequate emergency equipment at all times such as spill kits, communication system, fire extinguishers, etc.
- Test and maintain your emergency equipment routinely.



### C. Training

- The most effective way to reduce the inherent risks that hazardous waste present is to train your employees.
- **Training guidelines** can be found on the MPCA web page under hazardous waste publications. Generator size influences the level and amount of training requirements; [VSQG](#), [SQG](#), [LQG](#).





1-800-422-0798

## **MINNESOTA DUTY OFFICER**

*BCA Operations Center*

FAX: (651) 296-2300

Satellite Phone: 1-254-543-6490

(651) 649-5451



### **Emergency Notification**

If there is a spill of a hazardous material or a petroleum product in Minnesota, you must call:

#### **Local Authorities**

*Call 9-1-1 FIRST, when there is a threat to life or property*

#### **Minnesota Duty Officer**

*If there is a public safety or environmental threat and/or if state agency notification for reportable spills is required*

#### **The National Response Center 1-800-424-8802**

*When a federal notification is required*

### **The following information (if available) will be requested by the Minnesota Duty Officer:**

- Name of caller
- Date, time and location of the incident
- Telephone number for call-backs at the scene or facility
- Whether local officials (fire, police, sheriff) have been notified of incident

### **Additional information will be requested in the following special circumstances:**

#### **Making Notification of Spills/Incidents**

- Materials and quantity involved in incident
- Incident location (physical address, intersection, etc.)
- Responsible party of incident (property/business owner)
- Telephone number of responsible party
- Any surface waters or sewers impacted
- What has happened and present situation

#### **Requesting State Assistance for Incidents**

- Type of assistance requested (informational, specialized team assets, etc).
- Name of requesting agency/facility
- Materials, quantity and personnel involved in the incident
- Whether all local, county, mutual aid resources been utilized