

Reverse Logistics of Unwanted Materials

Reverse logistics, sometimes also known as reverse distribution, is the process of returning usable products to distributors or manufacturers, sometimes after consolidation at a corporate distribution center or by a third-party broker. Reverse logistics may also include the sale or donation of usable products to a third party.

If reverse logistics is not performed properly, it may result in improper transport or abandonment of hazardous waste, subject to regulation by the Minnesota Pollution Control Agency (MPCA) and the Metropolitan Counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington (Metro Counties).

Note: This fact sheet discusses reverse logistics of general products; reverse distribution of pharmaceuticals is different and is subject to separate requirements. See MPCA fact sheet #w-hw3-36b, Pharmaceutical Reverse Distribution, at <https://www.pca.state.mn.us/sites/default/files/w-hw3-36b.pdf>.

Product or waste?

In Minnesota, if an item or material reasonably can and will be used for its intended purpose, it is eligible to be considered a product. Products are not subject to hazardous waste requirements.

If an unwanted item or material cannot or will not reasonably be used for its intended purpose, or must be treated, such as by being distilled, reclaimed, or filtered before use, then it is a waste. Wastes are potentially subject to the hazardous waste requirements. Common waste materials ineligible for reverse logistics, sale, and donation in Minnesota include those:

- Which cannot reasonably be used or sold for their intended purpose 'as is', except for equipment and items that may be reasonably repaired.
- That do not meet the return criteria of the intended reverse logistics vendor.
- Stored in conditions likely to cause damage to the materials or render them unusable.
- Actively releasing waste constituents, such as broken fluorescent lamps, dripping fluids, or spilled solids. Containment of the release, such as by shrink-wrapping, does not render the waste a product eligible for reverse logistics, unless you have documentation that all of the materials will be fully used for their intended purpose without reclamation.
- Grouped products and wastes as an inducement for acceptance of the entire group by a reverse logistics vendor, buyer, or charity.
- Prohibited by other laws from reverse logistics, reuse, sale, or donation.

For an overview of hazardous waste requirements in Minnesota, see MPCA fact sheet #w-hw1-00, Summary of Hazardous Waste Requirements, at <https://www.pca.state.mn.us/sites/default/files/w-hw1-00.pdf>.

Wastes that are used for something other than their intended purpose, or that are usable for their intended purpose after treatment, may be eligible for reduced hazardous waste requirements. See MPCA fact sheet #w-hw2-42, Recycling Hazardous Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw2-42.pdf>.

Who must make product vs. waste determinations?

Every site managing materials through reverse logistics and every site receiving reverse logistics materials must make at least a preliminary determination that the material is reasonably a product and is not ineligible for management through reverse logistics for any of the reasons listed above. A site may not simply send unwanted materials to another handler through reverse logistics without making this determination, based on observations of the material and their available knowledge.

What are reverse logistics shipping requirements?

While products properly managed through reverse logistics are not subject to hazardous waste manifesting, they may still be hazardous materials subject to the packaging, labeling, documentation, and vehicle requirements of the Hazardous Materials Regulations (HMR) implemented by the Minnesota Department of Transportation (MnDOT).

Materials and items managed through reverse logistics often have been removed from their original containers or the original containers or packaging have been damaged. You must ensure that all hazardous materials are packaged according to the HMR before allowing them to leave your site. For questions regarding the HMR, contact MnDOT. See more information below.

Can I donate unwanted materials?

Unwanted materials may be donated as products if:

- You can find a recipient who will use the material for its intended purpose; and
- The material is not ineligible for reverse logistics for reasons in the [Product or waste?](#) section on page 1.

Recipients may often be located through materials exchanges. In addition to the materials exchanges operated by many counties, the Minnesota Technical Assistance Program (MnTAP) operates the free Minnesota Materials Exchange Service at: <https://mnexchange.org/>. For questions regarding the exchange, contact MnTAP below.

More information

Requirements in this fact sheet were compiled from Minnesota Rules, Chapter 7045. Visit the Office of the Revisor of Statutes at <https://www.revisor.mn.gov/pubs> to review applicable Minnesota Statutes and Rules.

Contact the MPCA or your Metro County for questions regarding reverse logistics. Contact MnDOT with questions regarding transportation of hazardous materials. The MPCA's Small Business Environmental Assistance Program can also provide free, confidential compliance assistance. You may be able to reduce your need for both reverse logistics of products and hazardous waste disposal; contact MnTAP for assistance. Report all spills and hazardous waste and hazardous materials incidents immediately to the Minnesota Duty Officer.

Metro County Hazardous Waste Offices

Anoka	763-324-4260
.....	https://www.anokacounty.us/
Carver	952-361-1800
.....	http://www.co.carver.mn.us/
Dakota	952-891-7557
.....	https://www.co.dakota.mn.us/
Hennepin	612-348-3777
.....	http://www.hennepin.us/
Ramsey	651-266-1199
.....	https://www.ramseycounty.us/
Scott	952-496-8177
.....	http://www.scottcountymn.gov/
Washington	651-430-6655
.....	https://www.co.washington.mn.us/

Minnesota Duty Officer

Toll free	1-800-422-0798
Metro	651-649-5451

Minnesota Pollution Control Agency

Toll free (all offices)	1-800-657-3864
All offices	651-296-6300
.....	https://www.pca.state.mn.us/

Small Business Environmental Assistance Program

Toll free	1-800-657-3938
Metro	651-282-6143
.....	https://www.pca.state.mn.us/sbeap/

Minnesota Technical Assistance Program

Toll free	1-800-247-0015
Metro	612-624-1300
.....	http://www.mntap.umn.edu

Minnesota Department of Transportation

Toll free	1-800-657-3774
Metro	651-296-3000
.....	http://www.dot.state.mn.us/