



Managing Fuel Wastes

Guidance for Minnesota generators of fuel-related wastes

Fuel wastes generated in Minnesota are subject to the Hazardous Waste Rules administered by the Minnesota Pollution Control Agency (MPCA) and the metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington (Metro counties).

What is included in *fuel wastes*?

Fuel wastes include:

- manufactured petroleum-based and other-based fuels that cannot be used as fuels until they are reclaimed or re-refined
- petroleum fuel spill cleanup materials
- fuel filters

Assume fuel wastes are hazardous unless you can demonstrate they are non-hazardous. You may dispose of fuel wastes as fully regulated hazardous wastes, or you may manage certain fuel wastes under the reduced requirements discussed in this fact sheet.

What is NOT included?

Fuel wastes do **not** include:

- Wastes resulting from products that were not originally intended to be used as fuels, including those normally used as solvents, release agents and paints
- Used oils and related wastes, including lubricating, hydraulic and cutting oils

For more information about used oils, see MPCA hazardous waste fact sheet #4.30, [Managing Used Oil and Related Wastes](http://www.pca.state.mn.us/publications/w-hw4-30.pdf), available at <http://www.pca.state.mn.us/publications/w-hw4-30.pdf>.

- Crude oil and related wastes
Manage all crude oil and related wastes, such as wipes and spill and maintenance debris, as any other newly generated waste. Assume they are hazardous unless evaluated and shown to be non-hazardous or your site has received a specific exemption from your Metro county or the MPCA.
- Contaminated or degraded fuels that, without any reclamation or treatment beyond simple filtering, can and will be used for their intended purpose as motor or heating fuel products (These fuels are products and are not subject to hazardous waste regulations.)

Note: Burning for the purpose of disposal is not an allowed use of a fuel product. A fuel is *burned for disposal* when the energy from burning is not used for heat, motive power, or other legitimate energy use.

- Fuels used as solvents or for other properties, such as diesel fuel used as an asphalt release agent
Manage waste from fuels used for non-fuel purposes as any other newly generated waste. Assume it is hazardous unless you have evaluated and shown it to be non-hazardous.

Recyclable fuel wastes

Recyclable fuel wastes are fuels, such as gasoline, diesel or jet fuel, that are contaminated with water, dirt or other materials, or have chemically degraded during storage and cannot be used as a fuel until reclaimed. In Minnesota, many businesses may generate recyclable fuel waste, including:

- Small engine repair shops, salvage yards, and marinas who may need to remove potentially contaminated fuel from vehicles or engines in the course of repair or salvage
- Service stations, airports, and tank farms in the form of tank bottoms, pump sumps, and releases recovered from spill containment areas

Requirements for recyclable fuel wastes

Although Federal Regulations exempt recyclable fuel, in Minnesota the MPCA regulates it as a hazardous waste; however, you may be eligible for certain reduced management requirements. To take advantage of the reduced requirements, ensure you manage your recyclable fuel waste under one of the options below. Manage fuel wastes that do not comply with one of these options (even if later recycled) as a fully regulated hazardous waste.

1. Accumulate only a small amount of recyclable fuel waste on your site for a limited time

- You may accumulate up to 110 gallons of recyclable fuel on your site for up to a year from the date it is generated.
- Store the recyclable fuel in closed, leak-proof containers, which are labeled with:
 - The date you first accumulated that fuel in the container and
 - The words *Recyclable Fuel* or *Waste Fuel for Recycling*
- Store the containers
 - Indoors in an area that can fully contain the recyclable fuel if it spills or
 - Outdoors in a shaded containment area that is curbed and locked
- You may ship this recyclable fuel waste from your site without a hazardous waste manifest if
 - You send it to a fuel recycling facility registered with the MPCA or the state in which it is located and
 - It enters the reclamation process within 24 hours of arrival
- Do not report or count this recyclable fuel toward your hazardous waste generator size.

2. Ship recyclable fuel waste for recycling the day it is generated

- You may ship any amount of recyclable fuel waste from your site without a hazardous waste manifest if, within 24 hours of generating the waste, you send it to a fuel recycling facility.
- The fuel recycling facility must be registered with the MPCA or the state in which it is located.
- The fuel waste is *generated* when it is drained from a storage tank being decommissioned or when fuel is spilled into a stormwater pond.
- Within 24 hours of arriving at the recycling facility, the fuel must enter the reclamation process.
- Do not report or count recyclable fuel toward your hazardous waste generator size.

If the only hazardous waste you generate is recyclable fuel waste, which you manage under one of the options above, you do not need to obtain a Hazardous Waste Identification Number (HWID) from the MPCA.

Waste mixtures of uncontaminated, on-specification fuels

You may accumulate and ship waste mixtures of uncontaminated fuels, which before they were mixed individually met the Minnesota statutory specifications for sale as fuel products, without complying with full hazardous waste requirements if you ensure the mixtures are only used as fuel ingredients, reclaimed, or re-refined.

Do not report or count this fuel waste toward your hazardous waste generator size.

Waste fuel pipeline interface materials

You may accumulate waste fuel pipeline interface materials without complying with full hazardous waste requirements if you ensure the mixture is transported only in the pipeline for use as a fuel ingredient, for reclamation, or for re-refining. If your pipeline interface material can be used directly as a fuel, it is considered a product and is not subject to hazardous waste regulation.

Do not report or count this fuel waste toward your hazardous waste generator size.

Fuel spill clean-up wastes

You may generally manage wastes from cleaning up fuel spills without complying with full hazardous waste requirements if you immediately contain and clean up the spill and report it promptly if appropriate:

- **Fuel spills of more than five gallons**

Immediately report fuel spills of more than five gallons to the Minnesota Duty Officer (see *More information*). If you report spills to the Minnesota Duty Officer and promptly and completely clean them up, the clean-up materials are exempt from typical hazardous waste requirements.

Depending upon the material, the MPCA allows many options for proper disposal of cleanup materials from fuel spills. For disposal guidance, see MPCA cleanup fact sheet #4.03, [Spill Debris Disposal Options](http://www.pca.state.mn.us/publications/c-er4-03.pdf), available at <http://www.pca.state.mn.us/publications/c-er4-03.pdf>.

- **Fuel spills of five gallons or less**

You do not need to report a fuel spill of five gallons or less. You may manage clean-up materials from these spills as you would used oil-contaminated materials. Ensure you recover spills as rapidly and thoroughly as possible. Take reasonable measures to prevent them including, inspecting and maintaining petroleum fuel delivery and transfer equipment, training employees and posting public signs, if applicable.

Store clean-up materials from small fuel spills in closed, leak-proof containers labeled with the words *Used Oil Contaminated Waste* or *Fuel Spill Cleanup Waste*. You may store them with your used oil-contaminated sorbents, such as floor dry, sawdust, or absorbent pads. Do not burn these wastes on your site unless you meet all the used oil-burning requirements. For additional guidance, see MPCA hazardous waste fact sheet #4.30, [Managing Used Oil and Related Wastes](http://www.pca.state.mn.us/publications/w-hw4-30.pdf), at <http://www.pca.state.mn.us/publications/w-hw4-30.pdf>.

Do not count this fuel waste toward your hazardous waste generator size.

Used fuel filters

You may manage filters used to process finished petroleum fuels, such as those from fuel pumps and fuel reclaimers, with your used oil filters if:

- The filters are recycled for scrap metal or
- The filters have a heating value of more than 5000 British Thermal Units per pound and are burned for energy recovery subject to used oil-burning requirements

For additional guidance, see MPCA hazardous waste fact sheet #4.30, [Managing Used Oil and Related Wastes](http://www.pca.state.mn.us/publications/w-hw4-30.pdf), available at <http://www.pca.state.mn.us/publications/w-hw4-30.pdf>.

Unusable ethanol-water mixtures not economical to distill

If you have a mixture of ethanol and water that you cannot use as fuel, but is not economical to distill, you may manage it by shipping it to a publicly owned treatment works (POTW) if you do all the following:

- You document that the mixtures do not contain any petroleum-based fuel like gasoline
- Before you ship them, you have documentation showing the POTW has agreed to accept them
- You do not use a hazardous waste manifest to accompany the shipment

Do not report or count this fuel waste toward your hazardous waste generator size.

Reducing waste and costs

The best way to reduce your hazardous waste liabilities and costs is to decrease the amount of hazardous waste you generate. The Minnesota Technical Assistance Program (MnTAP) has staff and resources to help you explore ways to reduce hazardous waste generation through product substitution and efficiency techniques. See *More information*.

More information

Guidance and requirements in this fact sheet were compiled from Minnesota Statutes, Chapter §115 and Minnesota Rules, Chapter 7045, and incorporate regulatory interpretation decisions made by the MPCA on September 19, 1997; May 28, 2010; April 13, 2011; and June 8, 2011. Visit the Office of the Revisor of Statutes at <https://www.revisor.mn.gov/pubs> to review Minnesota Statutes and Rules.

The MPCA and metropolitan counties have staff available to answer waste management questions. For more information, contact your metro county office or your nearest MPCA regional staff. For information about reducing waste, contact the Minnesota Technical Assistance Program (MnTAP).

Metro County Hazardous Waste Offices

Anoka	763-422-7093
Carver	952-361-1800
Dakota	952-891-7557
Hennepin	612-348-3777
Ramsey	651-266-1199
Scott.....	952-496-8475
Washington.....	651-430-6655
Websites	http://www.co.[county].mn.us

Minnesota Technical Assistance Program

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

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
Brainerd.....	218-828-2492
Detroit Lakes	218-847-1519
Duluth	218-723-4660
Mankato	507-389-5977
Marshall	507-537-7146
Rochester	507-285-7343
St. Paul	651-296-6300
Willmar	320-214-3786
Website	http://www.pca.state.mn.us

Small Business Environmental Assistance

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