



Minnesota
Pollution
Control
Agency

Managing Waste from Residential Properties in Preparation for Resale

Waste/Hazardous Waste #3.12 • August 2009

Unoccupied residential properties may contain abandoned materials that must be removed before the property can be marketed. Property owners or managers, such as mortgage lenders, realtors, and local units of government, often remove or contract with a cleanout specialist to remove these materials. When a property owner, manager, or contracted cleanout specialist determines that material abandoned in an unoccupied residence cannot be used for its intended purpose and must be removed for disposal, the material becomes a waste subject to the Minnesota Hazardous Waste Rules.

Minneapolis/St. Paul Area

The Minneapolis/St Paul metropolitan area counties (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington) each have their own hazardous waste regulatory program and may apply stricter requirements than described in this fact sheet to waste removed from unoccupied residential properties. Waste removed from any property in a metropolitan county is subject to the specific requirements of that county. Contact your county office at the appropriate number on page 2.

What is a 'waste'?

A waste is any material or item which can no longer be used for its intended purpose or which is discarded. The person who first manages a non-exempt waste or who effectively makes the decision that a material is a waste is considered the waste generator.

This fact sheet does not address waste from demolition or renovation. For information about demolition/renovation waste see www.pca.state.mn.us/programs/abestos_p.html

The waste generator must either examine the waste to determine whether it is hazardous under the Minnesota Hazardous Waste Rules or must assume the waste is hazardous and manage it accordingly. This process is called *evaluation*. For more information about waste evaluation, see MPCA hazardous waste fact sheet #1.01, *Step 1: Evaluate Waste; Determine Generator Size*, available on the MPCA Web site at www.pca.state.mn.us/publications/w-hw1-01.pdf.

Materials and items that can be used for their intended purpose are not waste if they are managed through reuse. Many counties operate household product exchanges that may accept usable products for reuse.

Material abandoned in unoccupied residential properties may also include illegal drugs and clandestine drug laboratory equipment. If you believe you have found either of these, leave the material in place and immediately contact your local law enforcement agency. To help you identify this type of waste, the U.S. Drug Enforcement Administration has posted a list of clandestine drug-laboratory-equipment indicators on its Web site at www.justice.gov/dea/concern/clandestine_indicators.html.

Exempt household waste

To encourage prompt and proper management of waste from unoccupied residential properties, the Minnesota Pollution Control Agency (MPCA) allows waste generated from non-commercial household activities that has been evaluated or assumed to be hazardous to be considered and managed as exempt

Household Hazardous Waste (HHW) provided:

- It is taken to a HHW Collection Program (HHWCP)
- The HHWCP is contacted before the waste is removed and agrees to accept the waste
- It is transported to the HHWCP the same day it is removed from the property

Any party, including a commercial party, can transport the waste.

When transporting to an accepting HHWCP, you may place exempt HHW from multiple properties on the same vehicle. However, to remain exempt, you must deliver it to the HHWCP the same day it is removed from the properties. You must not unload it at any location except the HHWCP. HHWCPs may require that waste from individual properties be segregated or be otherwise distinguishable.

A list of HHWCPs is available on the MPCA Web site www.pca.state.mn.us/waste/hhw/hhw-localprograms.html.

Regulated hazardous waste

Waste generated from non-commercial household activities that is removed from an unoccupied residential property, but not managed in full compliance with the previous criteria, is a fully regulated hazardous waste.

Waste generated in a household by past or present commercial activity is a fully regulated hazardous waste and is not eligible to be managed as exempt household waste.

Generators removing **regulated** hazardous waste from unoccupied properties:

- must obtain a Hazardous Waste Identification Number from the MPCA
- must annually report to the MPCA or Metropolitan County the amount of regulated hazardous waste generated through collection
- are subject to annual hazardous waste licensing and any related fees through the MPCA or Metropolitan County in which they are based

Manage regulated hazardous waste removed from an unoccupied residential property by:

- on-site pickup and transport by a registered hazardous waste transporter to a permitted hazardous waste disposal facility. For on-site pickup, the generator must request and obtain a Hazardous Waste Identification Number for the property from the MPCA before the waste is picked up. For more information on using a hazardous

waste transporter, see MPCA hazardous waste fact sheet #1.06, *Step 6: Transport and Dispose of Hazardous Waste Correctly*, available on the MPCA Web site

at www.pca.state.mn.us/waste/pubs/1-06.pdf.

- transport by the generator in their own vehicle to a Very Small Quantity Generator Collection Program (VSQGCP) which has agreed to accept the waste. Requirements for such transport and a list of VSQGCPs are described in MPCA hazardous waste fact sheet #2.51, *VSQG Collection Program Requirements for Generators*, available on the MPCA Web site at www.pca.state.mn.us/publications/w-hw2-51.pdf.
- transport by the generator in their own vehicle, under the MPCA's service contractor policy, back to their central business location for consolidation, sorting, and subsequent shipment with a hazardous waste transporter or to a VSQGCP. Contractors consolidating waste at their central location must comply with all the requirements of this allowance, discussed in MPCA hazardous waste fact sheet #3.11, *Transporting Hazardous Waste Generated by Construction and Service Contractors*, available on the MPCA Web site at www.pca.state.mn.us/publications/w-hw3-11.pdf.

More information

The MPCA and your metropolitan county hazardous waste offices have staff that can help you. Contact your county or the MPCA office nearest your facility.

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 County	952-496-8475
Washington County	651-430-6655
Web sites.....	www.co.[county].mn.us

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
Web site	www.pca.state.mn.us