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|  | 3.08 Acceptance of Very Small Quantity Generator Business Wastes  General Information for HHW Programs |

# 1. Introduction

HW [licensing](https://www.pca.state.mn.us/sites/default/files/w-hw2-52.pdf) rules allow for Household Hazardous Waste (HHW) Programs to voluntarily accept business hazardous wastes (HW) if licensed by the Minnesota Pollution Control Agency (MPCA). This service offers local businesses and affordable, environmentally responsible disposal option.

# 2. Prior to implementing a VSQG Program

Prior to accepting business waste, HHW Program staff shall be fully trained to accept and manage HW, including any associated hazards and precautions.

**2.1** Thorough knowledge and training is needed in proper HW acceptance, categorization, lab packing, labeling or markings, and highway transport). This Program shall assign this designated facility staff to assist businesses in HW disposal [\_\_\_\_\_\_­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_].

**2.2** Prior to business HW acceptance, this HHW Program must be a [licensed VSQG collection site](http://www.pca.state.mn.us/index.php/view-document.html?gid=12875). VSQG Collection Program Licenses are issued via the MPCA or the specific MN metropolitan county.

**2.3** This HHW VSQG collection program will determine:

* the type(s) of business waste it will accept
* which VSQGs are eligible to participate in the program
* how much to charge for the HW disposal service
* protocol on how to arrange for payment from the VSQG as each program is responsible for all costs
* protocol to assist HW generators using the program including instruction in completing shipping papers and meeting MN Department of Transportation (DOT) requirements
* upon HW acceptance, the HHW VSQG consolidation site will act as the waste generator and must keep records to track the HW source
* hazard communication
* HW segregation, classification, packaging, labeling and marking
* Hazardous Material (HM) highway [transport](https://www.pca.state.mn.us/sites/default/files/w-hw2-53.pdf)

# 3. Acceptable HW generator sizes

Licensed HHW collection programs may only accept HW from VSQG, OTG, or MQG businesses. The LQG and SQG business HW shall not be accepted, manifested, commingled, or managed using this Program’s HW identification number. Each business is categorized based on the amount of HW generated monthly:

* **Large Quantity Generator (LQG):** greater than 2,200 pounds per month (ppm).
* **Small Quantity Generator (SQG):** greater than 220 ppm, but less than 2,200.
* **Very Small Quantity Generator (VSQG):**  generates up to 220 ppm (or 22 gallons of liquid).
* **One-Time Generator (OTG):**  a one-time only disposal of up to 2,200 pounds of HW per generator. The OTG hazardous waste is typically abandoned materials or from a one-time clean-out event; HW cannot be generated from the business’s normal operating processes.
* **Minimum Quantity Generator (MQG):** Less than ten gallons or 100 pounds per year.

# 4. Process for accepting business hazardous waste

**4.1** This Program shall provide training for staff members who meet the DOT definition of a HM employee job duties, which may include packaging, marking, labeling, creating or offering shipping papers, or loading HW on vehicles. The DOT training shall be systematic to ensure staff is well-informed on:

* the ability to recognize and identify HW
* function-specific tasks appropriate to job duties
* emergency response and DOT Security plans
* safety, self-protection, and accident prevention measures and
* the proper completion of a shipping paper (if DOT MOT is not utilized)

**4.2** The Program shall provide interested businesses with introduction materials (e.g., Program flyer, costs for disposal, application, and an inventory sheet to list HW disposal items). The business shall complete and return all required forms for review prior to bringing in the HW. From the information submitted, Program staff shall determine if the incoming HW can be accepted.

**4.3** Program staff shall verify and confirm the business’s HW [generation status](https://www.pca.state.mn.us/sites/default/files/w-hw1-02.pdf) using the HW Generator identification number. If needed, Program staff may help businesses obtain a [HW Generator identification number](https://www.pca.state.mn.us/sites/default/files/w-hw1-03.pdf). Always [verify the current status](https://webapp.pca.state.mn.us/wimn/search/advancedSearch?activityTypeCode=HW) of a business prior to waste acceptance.

**4.4** If choosing to accept paint from participants in accordance with a Product Stewardship Program, do not charge participants a fee relating to any costs that are covered by [PaintCare](https://www.paintcare.org/states/minnesota/) Collection Sites.

**4.5** Disposal costs are determined by HW incoming weights. Program staff shall weigh, and document incoming business generated HW and provide an invoice as proof of proper disposal. Both the business and VSQG Program shall keep documentation for a minimum of three years.

**4.6** Information from disposal invoices or [shipping papers](https://www.pca.state.mn.us/sites/default/files/w-hw2-53b.doc) may be used by this Program to generate the State VSQG report. Completion and submittal of the annual report constitutes renewal of the Program’s VSQG License.

**4.7** Business HW may be commingled with HHW and shipped off-site using the State’s HW Identification Number by the state-contracted HW disposal company and authorized transporter.

**4.8** Materials deemed usable may be placed in the Facility product exchange or reuse area.

# 5. DOT Materials of Trade (MOT) Exemption

**5.1** Qualifyingbusiness HW may be transported to a licensed VSQG collection site using the DOT [MOT exemption](https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2023-06/MOTs-Brochure-0202-0523.pdf). It is at the discretion of this Program policy whether to utilize this exemption. If the Program chooses the more stringent policy of not utilizing the DOT MOT exemption, see Attachment A of this SOP. The MOT exemption allows for reduced shipping and transport requirements, including:

no shipping paper

no placarding

no US DOT labels

less HW transportation training

less HW transportation training for the transport drivers as they are not required to carry the [Transportation Guideline Booklet](https://www.pca.state.mn.us/sites/default/files/w-hw2-54b.pdf), but must be informed and demonstrate knowledge of the HW carried on the transport vehicle; [VSQG Transportation Requirements](https://www.pca.state.mn.us/sites/default/files/w-hw2-53.pdf)

**5.2** HM transported to a VSQG site shall be:

packaged in the size limited by packing group or type of container used

no one container having a gross mass or capacity greater than 66 pounds or eight gallons

in amounts less than 440 pounds (aggregate gross weight) per vehicle

contained in sturdy, leak-proof, closed and sift-proof packages

secured against movement and protected from damage

marked with correct US DOT shipping name or common name

transported using only the businesses own employees and vehicles

transported following DOT training requirement

meets the definition of HW

Non-manifested HW

Restricted to only the approved hazard classes or divisions

**5.3** Restricted to only the approved hazard classes or divisions as the DOT MOT prohibits transport of the following waste types:

* NO Poison Inhalation Hazards
* NO self-reactive materials
* No manifested HW

Attachment A

**DOT Requirements for Transporting Business HW**

**(Not utilizing the MOT Exemption)**

1. Waste classification

* 1. DOT requires the HW transporter to describe and classify their materials based on DOT hazard definitions prior to shipping or transporting for proper [shipping paper](https://www.pca.state.mn.us/sites/default/files/w-hw2-53b.doc) completion.
  2. Be aware of acute or [P-listed](https://www.pca.state.mn.us/sites/default/files/w-hw2-02.pdf) HW. When a quantity greater than one kilogram (about a quart-sized container) of acute hazardous waste is generated per month, the business no longer qualifies as a VSQG and cannot use this Program.
  3. Program staff may assist the business to evaluate and assign a shipping classification to each container using:
* DOT proper [shipping names](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-172/subpart-B/section-172.101) and waste codes
* [Hazard Precedence Table](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-173/subpart-A/section-173.2a)
* Knowledge of the hazardous waste (e.g., SDS, label information)
* DOT hazard class or division definitions

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| Acceptable Materials | Unacceptable Materials |
| Latex and oil base paints; Batteries; lab pack materials | Ammunition; radioactive |
| Fuels, aerosols; antifreeze, pesticides | Explosives; biohazards |
| Fluorescent light bulbs, ballasts, waste oil, filters, or sorbents | HW generated from SQGs |
| HW generated from MQGs, OTGs or VSQGs | HW generated from LQGs |

2. Packaging

* 1. Businesses that do not qualify to use the MOT exemption are required to transport HW in proper packaging. [“Package”](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-173/subpart-B/section-173.24) means the shipping package and its contents. “Non-bulk” packaging is a capacity less than or equal to 119 gallons for a liquid, a net mass of 882 pounds for a solid.
  2. Packages shall be packed upright, secured, and cushioned to control movement during transport. Fill all void space with compatible absorbent materials to prevent breakage or leakage. Cushioning or absorbents compatible with contents of inner package are recommended. Faulty or damaged packaging shall not be used. Each container shall:
* contain only one class of HW per container
* be of sturdy construction
* be packaged in the size limited by the DOT packing group or container type
* have adequate closure
* display the proper DOT shipping name
* display the proper hazard class label

3. Shipping papers

3.1 A VSQG or OTG business may use a shipping paper in lieu of a manifest to transport waste   
to a licensed VSQG collection site. Any material not listed on the shipping paper shall not be transported.

3.2 US DOT requires shipping papers to include the following information:

* type and count of HW class or division
* technical name and waste code
* generator HW Identification Number issued by the MPCA
* hazardous material description (the words “Hazardous Waste” and the HW code shall not be included in the shipping description)
* [emergency response information](https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-04/ERG2024-Eng-Web-a.pdf)
* carrier name (handwritten signatures required) and date of acceptance
* the receiving facility name and address (handwritten signatures required)
* the business generator name and address (handwritten signatures required)

3.3 Drivers transporting in HW to the VSQG site shall always have shipping papers in their possession and know the location of the emergency phone number listed on the shipping paper. The emergency response number listed must connect to a live person with knowledge of the materials being transported.

3.4 Both this Program and the generator shall keep a copy of the shipping paper documenting proper HW disposal. Shipping papers shall be immediately available for inspection on request of authorized officials. Retain all shipping documents on file for a minimum of three years (preferably indefinitely).

5. Transporting business HW

* 1. Businesses may transport HW to a VSQG Program licensed by the State. Responsibility for safe and legal transportation of HW ultimately lies with the [Drivers transporting HW](https://www.pca.state.mn.us/sites/default/files/w-hw1-08a.pdf) or shipper. Following receipt and approval of the Program application, the businesses shall be provided with clear instruction on transport requirements, including:
* a properly completed shipping paper
* appropriate hazard DOT labels and/or markings
* self-transport by a business is limited to 1,000 pounds of non-acute HW per vehicle
* drivers transporting business HW are required to read, sign, and have in their possession, the “[Transportation Guidelines for VQSG Collection Program](http://www.pca.state.mn.us/index.php/view-document.html?gid=9023)” booklet
* The driver transporting business HW shall be aware of vehicle contents.
* Staff shall remind the driver to deliver the HW directly and without delay.
  1. All classes and divisions of HW and all packages shall be secured and braced to prevent leaking, spilling, or falling during transport. Incompatible wastes shall not be loaded, stored, or transported unless separated in a manner that ensures no commingling of the materials shall occur. [Class 8 materials](https://www.usahazmat.com/class-8-corrosive-substances-a-hazardous-materials-guide) shall not be loaded on the transport vehicle above or next to [Class 4](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-173/subpart-D/section-173.124) or [Class 5](https://en.wikipedia.org/wiki/HAZMAT_Class_5_Oxidizing_agents_and_organic_peroxides) materials. Additional DOT requirements may apply, including restrictions for:
* acute HW may only be shipped by a licensed transporter
* hazardous substances (reportable quantities or RQs)
* Not Otherwise Specified (NOS) constituents or limited quantities
* toxic constituents
* poison by inhalation hazards
  1. Licensed collection programs may pick up hazardous material from a VSQG business generator as part of the service they provide. DOT regulations allow government entities to transport hazardous material from a generator using only its own employees and vehicles in volumes up to 1,000 pounds (MOT exemption only allows up to 440 pounds) and if the VSQG Program fees for transport do not result in a measurable profit to the Program. Commercial VSQG collection programs would be fully regulated under the Hazardous Material Regulations and required to comply with all HW Transporter requirements, including manifesting.
  2. The VSQG licensed consolidation programs may pick up HM from a VSQG [business generator](https://www.pca.state.mn.us/sites/default/files/w-hhwsop3-08.docx) as part of the VSQG provided service and transport back to their site. The DOT regulations allow government entities to transport HM from a generator if:
* The business is only using its own employees and its own vehicles for transport
* There is no charge, or fee is associated with the transport service
* HM employers must train and test employees working with HW to ensure they are familiar with applicable DOT regulations and know how to perform their job safely.
* The driver carries completed shipping papers in the cab of the transport vehicle and is informed of proper spill responses and to immediately report any incident to the Minnesota Duty Officer at 800-422-0798.
* The HM being offered for transport is accompanied by emergency response information (ERI); the driver must have a copy of either: 1) The Emergency Response Book; or 2) specific pages from the book that reference the HM being transported (printed on the shipping paper, or on a separate hardcopy document). This Program can provide the above link to the business, have them copy and bring along the entire book during transport (which they can then re-use for future shipments).
* ERI must be comprehensive, product specific, and must include a contact number of a person with knowledge on the waste being transported.
* VSQG or OTG businesses transporting their own HW to a licensed VSQG Program do not require placards except if aggregate gross weight is greater than 1,001 pounds or if the material is listed in Table 2 of [49 CFR 172.504.](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-172/subpart-G/section-172.602)
* There is an additional requirement to provide a copy of ERI 2024 Emergency Response Guidebook. The DOT requirement states: Comprehensive, product specific, emergency information must be carried with the shipping papers. Written emergency response information may be printed on the shipping paper, or on a separate document such as a Material Safety Data Sheet or another document that includes all information required by [49 CFR Section 172.602](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-172/subpart-G/section-172.602).