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| Image of different types of household hazardous waste bottles, including oil, gas can, insect spray and others. | **SOP 1.03 Department of Transportation: General guidance for HHW Programs** |

*Note: This guidance document is for informational purposes only and outlines basic Department of Transportation (DOT) employer requirements. The Minnesota Pollution Control Agency (MPCA) makes no guarantee that this document satisfies the requirements of its users ensuring DOT compliance. It is the sole responsibility of your specific Household Hazardous Waste (HHW) Program employer(s) to determine if DOT requirements have been met.*

1. Regulation of Hazardous Materials Transport

HHW Programs are subject to regulation by the Department of Transportation (DOT), which defines Hazardous Materials (HazMat) as substances capable of posing an unreasonable risk to health, safety, and property when transported. A subset of HazMat is Hazardous Waste (HW). HHW generated from households is not regulated as a HW until it is collected at a HHW licensed facility. At that point, waste becomes regulated as a HW as outlined in [Minn Rules 7045.0310](https://www.revisor.mn.gov/rules/?id=7045.0310) and upon shipment out, needs to comply with DOT regulation. HHW transported by HHW Programs between events or satellite sites and a permanent facility is also regulated, but is also subject to a [DOT exception](https://www.pca.state.mn.us/sites/default/files/w-hw2-53.pdf) when transported in program owned vehicles by trained program staff.

All HW leaving a HHW facility with a commercial transporter is regulated by DOT. The determination as to when to use a manifest vs. a more generic [shipping paper](https://www.pca.state.mn.us/sites/default/files/w-hw2-53b.doc) is determined by the MPCA. The MPCA declares a waste to either be hazardous or a [universal waste](https://www.pca.state.mn.us/sites/default/files/w-hw4-62.pdf) which DOT regulations apply (both in storage and during highway transport) and requires a [manifest](https://www.pca.state.mn.us/sites/default/files/w-hw1-07.pdf) for all shipments of HW.

1.1 Required training. The designated Program staff responsible for ensuring [DOT training and compliance](http://www.ecfr.gov/cgi-bin/text-idx?SID=baad6f98ad88ef0bb893ae910f5aedb9&mc=true&node=se49.2.172_1704&rgn=div8) is [\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]. This Program’s employer is responsible for ensuring that all staff packaging waste for highway transport are routinely trained, tested, and competent prior to working unsupervised and when performing transportation related functions. DOT staff training and documentation includes the following:

* Complete initial DOT training once, and then repeat every three years. Also, attend annual update refresher trainings on the years in between the three-year initial training. For additional training see [DOT Web-based training](http://www.dot.state.mn.us/cvo/hazmatElearning/).
* Complete required DOT training within 90 days of hire (or work under direct supervision of trained and experienced staff).
* Keep all training documentation on file for at least three years (preferably indefinitely).
* Test and certify that staff is competent in DOT requirements prior to working unsupervised.
* Review [www.phmsa.dot.gov/hazmat](http://www.phmsa.dot.gov/hazmat) for additional information and training options.

2. Pre-Transport regulations

DOT regulates that HW offered for highway transport be properly segregated, packaged in specific and UN approved containers, then labeled or marked in compliance with their standards. Staff that classify and/or package wastes for transport by this program or by a HW contractor must complete the following tasks in accordance with DOT and HW requirements and the [Code of Federal Regulations](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-C/part-172?toc=1).

2.1 Classifying HW. HHW staff trained in DOT requirements shall determine the hazard class or division for HW packaged at this facility. [[List programs resources; note applicable parts of the HazCat manual, DOT training materials located xx; HW regulations or fact sheets located xx or any other references facility staff utilize]:

The DOT hazard classes are:

Class 1: Explosives

Class 2: Compressed gas

Class 3: Flammable liquids

Class 4: Flammable solids

Class 4.1: Flammable solid

Class 4.2: Spontaneously combustible

Class 5: Oxidizers

Class 5.1: Oxidizer

Class 5.2: Organic peroxides

Class 6: Poisons (liquids and solids)

Class 7: Radioactive materials

Class 8: Corrosive liquids

Class 9: Miscellaneous: HM that does not meet other class or division definitions

2.2 Packaging HW.

* Shipping containers used to package HW shall meet [UN ratings](http://www.phmsa.dot.gov/staticfiles/PHMSA/Hazmat/digipak/pdfs/presentation/Package_Selection_Marking_Labeling(04_07).pdf) and display the United Nations (UN) symbol. DOT allows re-use of authorized packaging one time.
* Use the appropriate HW packaging method (lab-packing or bulking).
* All HW containers destined for highway transport shall be in good condition, properly filled, closed, and secured.
* Package non-hazardous waste (including latex paint) in accordance with [the Hazardous Categorization Training Manual provided by the State Contracted Disposal Company, guidance documents provided by PaintCare® or list other resources…].

2.3 Labeling and/or marking HW. Staff trained to package waste for highway transport shall ensure hazards are clearly communicated on all containers and [container labeling](https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2020-07/USDOT%20Chart%2016%20PHH50%200162%201117%20WEB.pdf) reflects the materials listed on the shipping paper or manifest that will accompany the shipment.

2.4 Reviewing and signing manifests and/or shipping papers. Program staff shall obtain MPCA Manifest Signature Authority prior to signing manifests on behalf of the State [List staff who have received MPCA approval to sign manifests].

3. Offering Waste for Transport by the State Disposal Contractor or other transporter

Outgoing HW disposal shipments **from** a HHW facility using the States Waste Disposal Contractor or other transporter must be in full conformance with the HM rules. Trained HHW staff are responsible for ensuring:

A contract with a licensed HW transporter is obtained prior to transporting HW to an approved facility.

Manifest requirements are followed.

The entire shipment is delivered to the designated destination point.

The transporter returns the waste back to this program (site of origin) if it cannot be delivered to the designated facility.

4. Transporting waste by trained staff in program vehicles

This SOP does not cover how business generators or [VSQG licensed programs](https://www.pca.state.mn.us/sites/default/files/w-hw8-07.pdf) may transport HW from a business location to a HHW facility. It is the policy discretion of thisprogram whether or not to utilize the DOT [Materials of Trade (MOT) exemption](https://www.phmsa.dot.gov/training/hazmat/materials-trade-mots)**.** This exemption provides some regulation relief including reduced shipping and transport requirements, such as:

* No [shipping paper](https://www.pca.state.mn.us/sites/default/files/w-hw2-53b.doc)s, placarding or labels are required during transport.
* 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
* Transported in HW amounts less than 440 pounds (aggregate gross weight) and in single containers with a gross mass or capacity not greater than 66 pounds or 8 gallons (for packing group II and III)
* Packaged in the size limited by packing group or type of container used.

5. Hazardous Materials Emergency Procedures

DOT's [Emergency Response Guidebook](https://www.phmsa.dot.gov/training/hazmat/erg/emergency-response-guidebook-erg) provides first responders with a manual intended for use during the initial phase of a transportation incident involving hazardous materials/dangerous goods. Either the ERG book or the relevant pages/information for the items being shipped, should be in the vehicle for VSQG HW being transported into a HHW Facility.