



Determine Generator Size

Step 2 in the [10 Steps to Hazardous Waste Compliance series](#)

Generator size is based on the volume and type of hazardous waste generated at a site each calendar month. Each site's generator size determines the requirements the site must meet.

The Minnesota Pollution Control Agency (MPCA) and the metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington (Metro Counties) oversee the hazardous waste generator size requirements. These requirements are specific to Minnesota and differ from federal requirements.

What wastes do I count?

Count the amount of each hazardous waste shown in Table 1 generated in each calendar month and each year. For guidance on determining what is and what isn't hazardous waste in Minnesota, see MPCA fact sheet #w-hw1-01, Evaluate Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw1-01.pdf>.

Table 1. Hazardous wastes counted for generator size determination

Count hazardous wastes generated in a calendar month that are:

- Accumulated on-site
- Mixed into used oil by a Very Small Quantity Generator (VSQG)
- Recycled off-site, unless they are eligible to be feedstocks or byproducts. See feedstocks or byproducts below
- Recycled and reused again on-site. See MPCA form #w-hw7-12, Recycled Hazardous Waste Worksheet, at <https://www.pca.state.mn.us/sites/default/files/w-hw7-12.doc> to calculate how much of this waste to count
- Sewered
- Shipped off-site for treatment or disposal using a hazardous waste manifest
- Transported to a VSQG Collection Program or Licensed Paint Collection Site (LPCS)
- Treated on-site

Do not count hazardous wastes that are:

- E-waste that is recycled. See MPCA fact sheet #w-hw4-15, Electronic Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-15.pdf>.
- Exempt. See MPCA fact sheet #w-hw1-01, Evaluate Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw1-01.pdf>.
- Feedstocks or byproducts. See MPCA fact sheet #w-hw2-42, Recycling Hazardous Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw2-42.pdf>.
- Pharmaceuticals managed through reverse distribution. See MPCA fact sheet #w-hw3-36b, Reverse Distribution of Pharmaceuticals, at <https://www.pca.state.mn.us/sites/default/files/w-hw3-36b.pdf>.
- Polychlorinated biphenyls (PCBs). See MPCA fact sheet #w-hw4-48a, Identifying and Using PCBs, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-48a.pdf>.
- Recyclable fuel. See MPCA fact sheet #w-hw4-19, Fuel Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-19.pdf>.
- Sewered after pretreatment on-site to remove ³ 80% of their hazardous constituents.
- Universal waste. See MPCA fact sheet #w-hw4-62, Universal Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw4-62.pdf>.
- Used oil that is recycled or burned for energy recovery. See MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, <https://www.pca.state.mn.us/sites/default/files/w-hw4-62.pdf>.

Note: Hazardous wastes that are not counted towards your site's hazardous waste generator size may still need to be reported annually to the MPCA or your Metro County.

Do I have to count the weight of containers?

No, you only need to count the net mass of hazardous waste or residue in a container, not the weight of the container itself. If you do not have the exact weight of the empty container, called the tare weight, or the exact net weight of the waste in a container, you may use a reasonable estimate that is based on other documented measurements.

If your hazardous waste is comingled with a non-hazardous waste or another material, and can be separated out, you may count only the net mass of the hazardous waste.

How do I count wastes at cleanup sites?

If you are cleaning up a new hazardous waste spill, count the volume of recovered hazardous waste. Contaminated spill cleanup materials are considered newly generated wastes and must be either assumed to be hazardous waste and counted or evaluated as non-hazardous. See MPCA fact sheet #w-hw1-01, Evaluate Waste, at <https://www.pca.state.mn.us/sites/default/files/w-hw1-01.pdf> for guidance in evaluating wastes.

Count hazardous waste shipped off-site for treatment or disposal from a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, commonly known as Superfund) cleanup supervised by the U.S. Environmental Protection Agency (EPA) or a Minnesota Environmental Response and Liability Act (MERLA) cleanup supervised by the MPCA.

Do not count hazardous waste treated on-site and returned to the ground, or moved within an Area of Concern (AOC) at a CERCLA or MERLA cleanup site.

What generator size is my site?

Total the maximum weights of hazardous waste you generated each calendar month and each year you counted using [Table 1](#). Do not average multiple months.

Count acute hazardous wastes separately. For more information about identifying acute hazardous wastes, see MPCA fact sheet #w-hw2-02, P List of Acute Hazardous Wastes, at <https://www.pca.state.mn.us/sites/default/files/w-hw2-02.pdf>.

Use the maximum monthly totals of hazardous waste generated and [Table 2](#) to calculate your site's size.

Table 2. Generator size

If your site generates:	...then your site's generator size is:
Less than 100 pounds per year and no acute hazardous waste	Minimal Quantity Generator (MiniQG) Follows all requirements for VSQGs. No annual license fees. See MPCA fact sheet #w-hw1-50, Minimal Quantity Generators, at https://www.pca.state.mn.us/sites/default/files/w-hw1-50.pdf . Not applicable in all Metro Counties.
Less than 220 pounds per month and less than 2.2 pounds per month of acute hazardous waste	Very Small Quantity Generator (VSQG) Note: The federal Conditionally Exempt Small Quantity Generator (CESQG) generator size does not exist in Minnesota.
Between 220 to 2,200 pounds per month and less than 2.2 pounds per month of acute hazardous waste	Small Quantity Generator (SQG)
More than 2,200 pounds per month or more than 2.2 pounds per month of acute hazardous waste	Large Quantity Generator (LQG)

What if the amount of waste I generate changes?

While the amount of hazardous waste generated at most sites varies from month to month, it usually does not fluctuate enough to change a site's regulated size. However, if your business is cyclical or seasonal, or if you have a spill, clean out stored stock materials, or have another major hazardous waste generation event, your generation may increase or decrease enough to affect your site's size.

If your site's generation increases enough to raise your generator size, you must meet all of the hazardous waste requirements applicable to the larger size during the month when the size increased. You must also continue to meet the larger size requirements for the subsequent months of that calendar year, unless your site is reclassified back down to your original lower size, either automatically or on request. Table 3 describes the methods of reclassification.

- If your site will be automatically reclassified, or you decide to remain at the larger generator size, you do not need to notify the MPCA. If your site is located in a Metro County, contact your County to determine if they require notice of generator size changes.
- If your site is ineligible for automatic reclassification, and you wish to return to your original lower generator size, then you must submit a written reclassification request to the MPCA or Metro County.

Table 3. Generator size reclassification methods

Original generator size	Reclassification method
MiniQG	<p>No reclassification necessary if the site stays below the VSQG generation limit (220 pounds per month). Comply with the VSQG requirements for the remainder of the over-generation calendar year.</p> <p>Submit a hazardous waste license application in the following year and pay any applicable annual fee for the over-generation year. The site will be reclassified when the hazardous waste license application for the calendar year following the over-generation year is received.</p> <p>If over-generation is greater VSQG generation limit, follow the VSQG method below.</p>
VSQG	<p>Automatically reclassified if the over-generation:</p> <ul style="list-style-type: none"> • Is limited to one month • Stays below the SQG generation limit (2200 pounds per month) <p>Comply with the SQG requirements during that month.</p> <p>If the over-generation is longer than a month, the site is ineligible for automatic reclassification and you must submit a written reclassification request.</p> <p>If the over-generation is greater than SQG generation limit, follow SQG method below.</p>
SQG	<p>Automatically reclassified if the over-generation is:</p> <ul style="list-style-type: none"> • Limited to one month • Caused by spill and cleanup of non-acute hazardous waste or the permanent shutdown of a production process <p>Comply with the LQG requirements during that month.</p> <p>If the over-generation is longer than a month, or due to something other than the allowed causes above, the site is ineligible for automatic reclassification and you must submit a written reclassification request.</p>
MiniQGs, VSQGs, and SQGs ineligible for automatic reclassification	<p>Submit a written reclassification request to the MPCA or Metro County. The request must include an:</p> <ul style="list-style-type: none"> • Explanation of the reason for the over-generation event • Detailed description of the steps taken by the generator to ensure that the over-generation will not recur <p>Comply with the larger size requirements until you receive written confirmation of the reclassification.</p>

Note: The MPCA and some Metro Counties assess annual hazardous waste fees based on the total volume of hazardous waste generated at a site. You may be assessed fees for over-generation waste, even if your site is automatically reclassified or you submit a reclassification request.

Who is responsible for determining my site's size?

The operator of a site generating hazardous waste is responsible for determining its current hazardous waste generator size, and to follow all the hazardous waste requirements related to that size.

The generator size contained in the MPCA's databases and shown in the MPCA's public tools below are estimates only and are based on information reported for previous calendar years. You may not rely on these shown sizes as indicating your actual regulated generator size or requirements.

- What's In My Neighborhood at <https://www.pca.state.mn.us/data/whats-my-neighborhood>.
- Hazardous Waste Identification Number Search at <https://www.pca.state.mn.us/waste/hazardous-waste-identification-number-search>.

More information

Guidance and 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 Minnesota Rules.

Contact your Metro County or the MPCA with your questions. The MPCA's Small Business Environmental Assistance Program (SBEAP) can also provide free, confidential regulatory compliance assistance.

The Minnesota Technical Assistance Program (MnTAP) can help you reduce the amount of hazardous waste your site generates.

Metro County Hazardous Waste Offices

Anoka	763-422-7093
.....	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	952-496-8475
.....	http://www.scottcountymn.gov/
Washington	651-430-6655
.....	https://www.co.washington.mn.us/

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

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