

Self-Audit STEP 2

This training is about hazardous waste generated within the following industry sectors:

- Retailers
- Wholesalers*

**For the purpose of this training, we will refer to retailers and wholesalers as “retailers” since they carry similar products.*

Introduction

- This training is intended to teach you about how retail products in your industry become a waste AND to educate you about how to store, manage and dispose of those wastes. This includes:
 - Hazardous Waste Characteristics
 - Evaluation Requirements
 - Storage requirements
 - Disposal Requirements
 - Recordkeeping Requirements
 - Where to Find Other Resources
- After reviewing this industry-specific training, you will be instructed to finish completing the STEP 2 Online Waste Survey.

Why Are We Reaching Out To Retailers?

- Many retailers believe they do not generate hazardous waste. The reality is that they do have and sell products with the potential to become hazardous waste.
- Examples of products that become hazardous waste include:
 - Products in a damaged container
 - Products that may be contaminated or mixed
 - Products that are unlabeled or unidentifiable
 - Products with a broken seal
 - Products that are expired
 - Returned products that cannot be used for their intended purpose or cannot be sold
 - Returned products that cannot be sold for liability reasons

Rules and Regulations Require a License

Many retailers are not aware that they generate hazardous waste and that these regulations apply:

- The Code of Federal Regulations (CFR) defines any person, by site, whose processes or actions produce hazardous waste as a hazardous waste generator
 - 40 CFR 260.10
 - <http://www.ecfr.gov/cgi-bin/textidx?SID=b4e078eec8e994cd6a42e93d33736023&mc=true&node=sp40.26.260.b&rgn=div6>
- Minnesota hazardous waste generators are required to obtain a generator license. In Hennepin County that license is issued by the county. To learn more about licensing see:
 - Minnesota Rule 7045.0225
 - www.revisor.mn.gov/rules/?id=7045.0225
 - Hennepin County Ordinance 7, 3.01
 - www.hennepin.us/your-government/ordinances/ordinance-7

Retail Waste Misconceptions

- Claims from Retailers:
 - “We don’t sell hazardous waste.”
 - Retailers generate (or produce) hazardous waste when a once usable and salable product becomes expired, becomes damaged, the contents leak or spill or the product otherwise cannot be sold or used.
 - “All of our products are returned to our distribution center.”
 - You can reverse distribute products that can be sold and used for their intended purpose.
 - However, if products become expired, damaged, leak or spill, or otherwise cannot be used or sold, these containers (if hazardous) and their spilled residues cannot be sent back to the warehouse or distribution center.

Review Reverse Distribution of General Merchandise factsheet:
www.pca.state.mn.us/index.php/view-document.html?gid=14268

Retail Waste Misconceptions

– “Our returned products are donated.”

- You can donate products that can still be used for their intended purpose.
- You cannot donate products that are not usable for their intended purpose.

– “We don’t have spills.”

- Even if it is unlikely your company will ever have a damaged or spilled product, your company is still expected to be prepared and have a plan to properly manage waste from a spill.

Review Reverse Distribution of General Merchandise factsheet:
www.pca.state.mn.us/index.php/view-document.html?gid=14268

Ask Yourself:

Do I have returned items that may be contaminated, unsalable, or unusable?



Ask Yourself:

Do I have merchandise that is unlabeled or expired?



Expired Perfume Tester

Ask Yourself:

Do I ever have damaged or leaking products or returns?





Yes!

**If you answered 'yes' to any of the previous questions,
you have waste.**

The next section will tell you how to determine if a waste is hazardous.

So... you have a waste

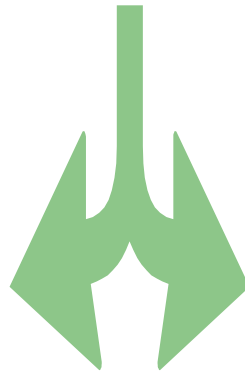
But is it hazardous or nonhazardous?

- You must evaluate it to find out.
- You can evaluate waste using:
 - Safety Data Sheets
 - Knowledge of process and waste characteristics
 - Approved testing method
 - Manufacturer certification

Determine Whether your Waste is Hazardous or Nonhazardous

Nonhazardous

or
Exempt



Hazardous

- Listed (F,P,U)
- Characteristic
- Used Oil
- Universal waste
- Special waste

What Makes a Product “Listed” Hazardous?

- Some chemicals are listed by name as a hazardous waste
- Check the ingredients of your container and find out if any of the chemicals fall under one of the following hazardous waste lists:
 - **F-List** (Hazardous wastes from non-specific sources)
 - **P-List** (Hazardous wastes from specific sources)
 - **U-List** (Discarded commercial chemical products, off-specification species, container residues, and spill residues)

Refer to the **F, P and U** hazardous waste lists:

[F List of Hazardous Wastes](#)

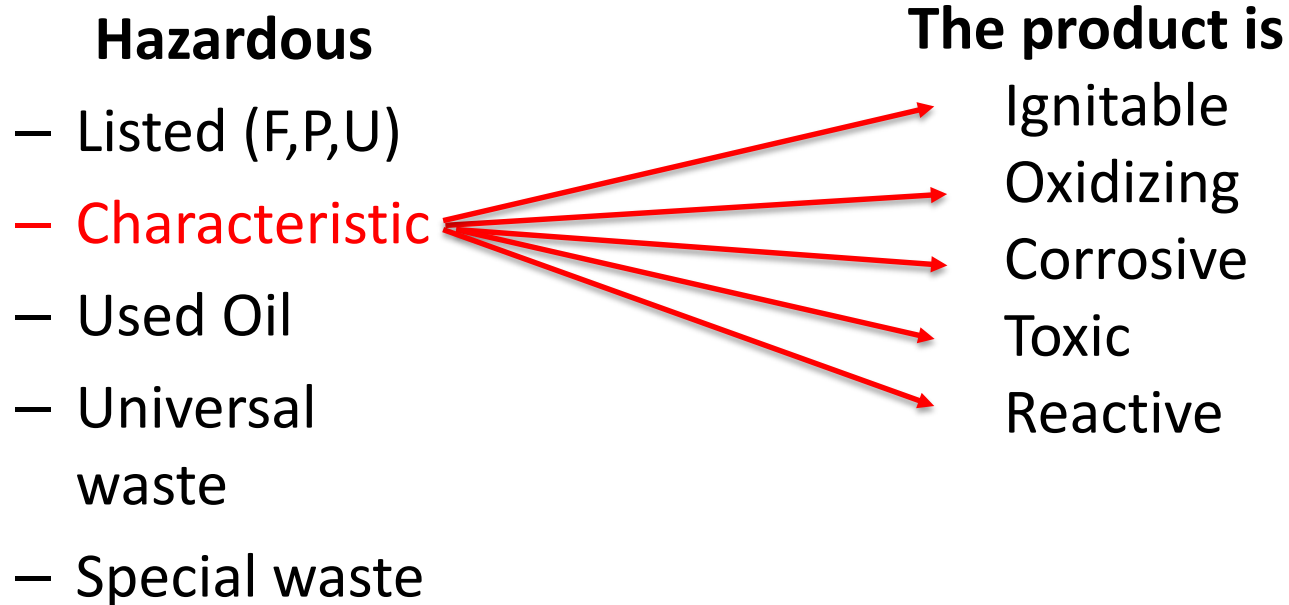
[P List of Acute Hazardous Wastes](#)

[U List of Hazardous Wastes](#)

40 Code of Federal Regulations, Subpart D, Lists of Hazardous Wastes

<http://www.ecfr.gov/cgi-bin/text-idx?SID=63b5df3935bf56c242a1b45f31fbae76&mc=true&node=sp40.26.261.d&rgn=div6>

What Makes a Product a “Characteristic” Hazardous Waste?



Characteristic waste factsheet: www.pca.state.mn.us/index.php/view-document.html?gid=4016

40 Code of Federal Regulations Part 261, Subpart C- Characteristics of Hazardous Waste
<https://www.law.cornell.edu/cfr/text/40/part-261/subpart-C>

Examples of Ignitable Hazardous Waste

- Any liquid with a flashpoint lower than 140° F.
May include but are not limited to:
 - Alcohol-based products
 - Automotive products
 - Cologne and perfumes
 - Flammable solvents
 - Hand and nail care products
 - Oil-based paints



Characteristic waste factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4016

Examples of Ignitable Hazardous Wastes

- Aerosols containing propellant may include but are not limited to:
 - Body care products
 - Cleaning or deodorizing products
 - Hair care products
 - Paints
 - Pesticides and Herbicides



Characteristic waste factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4016

Examples of Oxidizer Hazardous Wastes

- May include but are not limited to:
 - Some bleaching agents
 - Hydrogen Peroxide
 - Pool and shock products
 - Eye and hair care products



Characteristic waste factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4016

Examples of Corrosive Hazardous Wastes

- Corrosive wastes include acids with a pH less than or equal to 2, they may include but are not limited to:
 - Some all-purpose cleaners
 - Brick and stone cleaners
 - Oven cleaner
 - Tarnish remover
 - Toilet cleaner



Characteristic waste factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4016

Examples of Corrosive Hazardous Wastes

- Corrosive wastes include bases with a pH greater than or equal to 12.5, they may include but are not limited to:
 - Some all-purpose cleaners
 - Ammonia
 - Bleach products
 - Drain cleaners
 - Toilet cleaners



Characteristic waste factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4016

Examples of Toxic Hazardous Wastes

- Toxic products are harmful to the environment, animals and humans
 - Products containing toxic metals like chromium, silver, lead and mercury
 - Insecticides (flea, tick or wasp poison)
 - Algacides or aquatic supplies
 - Pesticides
 - Sanitizers
 - Herbicides



Characteristic waste factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4016

Some Toxic Wastes are MN Lethal Hazardous Wastes

- Minnesota-specific characteristic
 - Lethality: “Measures the toxicological or poisonous effect of a waste.”
 - Common indicators may include but are not limited to:
 - “A drug regulated by the MN Board of Pharmacy”
 - “A pesticide regulated by the MN Department of Agriculture”
 - “A poisonous material regulated for transport by the U.S. DOT”
 - “A material bearing the words “Poison”, “Poisonous”, “Toxic”, “Lethal”, “Fatal” or “Deadly”



Minnesota Lethality Characteristic Factsheet:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=4002>

Used Oil Wastes

- Some retail stores may sell oil products:
 - Automotive fluids like motor oil, transmission fluid, brake fluid, etc.
 - Grease and other petroleum lubricants
- Some retail stores may generate used oil from equipment they service:
 - Air compressors, heating & a/c systems, refrigeration units, etc.
 - Vehicles, power generators, fork lifts, small engines, etc.

Used Oil Factsheet:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=4010>

Universal Wastes

- There are four types of Universal Wastes
 - Batteries
 - Mercury-containing equipment
 - Fluorescent and HID Lamps
 - Some pesticides
 - Non-empty aerosol cans



Universal Waste Factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4007

Waste Aerosols and Compressed Gas Cylinders

<http://www.pca.state.mn.us/index.php/view-document.html?gid=4005>

Special Wastes

- There are two types of Special Wastes
(Regulated under Hennepin County Ordinance 7, 1.03, W)
 - Waste Photographic Film/Negatives
 - Scrap Electronics



Electronic Waste Factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4064

Managing Photographic and X-Ray Waste:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=15966>



Waste Evaluation & Record Keeping

- Evaluate waste at the store before sending it back to the distribution center or anywhere else
- Evaluation records must be maintained on site
- Keep evaluation records for as long as you generate that waste and for at least three years after you stop generating that waste
 - Waste Profiles
 - Tests/analytical reports
 - Safety Data Sheets
 - Other determinations

Evaluation Assistance Factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4030

Before You Throw You Need to Know!

- You Can Choose To Evaluate Each Waste:
 - Is it F, P or U-Listed?
 - Is it a characteristic hazardous waste?
 - Is it a MN lethal hazardous waste?
 - Is it a used oil waste?
 - Is it a Universal Waste?
 - Is it a Special Waste?
- What If You Choose Not To Evaluate?
 - If you do not evaluate within 60 days of a product becoming a waste, that waste is then assumed to be a hazardous waste
- You May Choose To Assume Waste is Hazardous:
 - You can immediately assume a waste is hazardous waste and manage it as such
- You Can Contact a Waste Disposal Company for help with evaluation

Evaluation Assistance Factsheet:

www.pca.state.mn.us/index.php/view-document.html?gid=4030

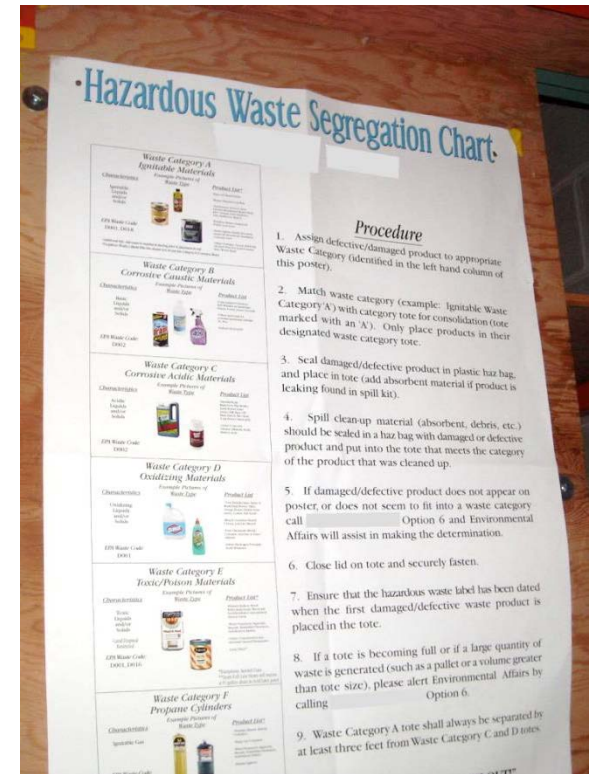
Hazardous Waste Disposal Companies

<http://www.hennepin.us/~media/hennepinus/Business/recycling-hazardous-waste/documents/hazardous-waste-disposal-companies.pdf?la=en>

Create a Waste Program

Regardless if you choose to evaluate or assume wastes are hazardous waste, create a waste program.

- Create and post a waste segregation chart. Chart should address storing incompatible wastes separately
- Use SKUs paired with a database to tell employees which products are hazardous waste
- Train Your Employees



Hazardous Waste Storage Requirements

- Consolidate wastes by type and containerize

- Flammables
- Oxidizers
- Corrosive Acids
- Corrosive Bases
- Toxic/Lethal
- Oil
- Batteries
- Lamps
- Aerosols



Disposal Options

- Contact a waste transporter & disposal company to handle your wastes:
 - Hazardous Waste (characteristic, F/P/U-listed, MN lethal)
 - Used Oil
 - Universal Waste (lamps, batteries, pesticides, non-empty aerosols)
 - Special Waste (electronics, film/X-rays)
- Use a Very Small Quantity Generator Collection Program
- Drop-off architectural paint waste at a PaintCare Collection Site

Hazardous Waste Disposal Companies

www.hennepin.us/~media/hennepinus/Business/recycling-hazardous-waste/documents/hazardous-waste-disposal-companies.pdf

Very Small Quantity Generator Collection Program

<http://www.pca.state.mn.us/index.php/view-document.html?gid=12875>

PaintCare Collection Site

<http://www.paintcare.org/paintcare-states/minnesota/>

Disposal Record Keeping Requirements

- Keep receipts and Hazardous Waste Manifests for at least three years
- Make sure you receive a copy of the manifest signed by the designated facility on receipt of the waste
- Send a copy of the three-signature manifest to the address below within 40 days of the designated facility's receipt of the waste.

Hazardous Waste Manifest Program
300 S. 6th St., Mail code L609
Minneapolis, MN 55487

Record Keeping Factsheet: Manifest Shipments of Hazardous Waste
www.pca.state.mn.us/index.php/view-document.html?gid=8999

How to Avoid Violations

- Apply for License
- Report all Wastes
- Organize Containers
- Separate incompatible wastes
- **Label Containers (one of the most common violations)**
- **Close your Containers (one of the most common violations)**
- Clean Up Spills
- Maintain Spill Kits
- Train Your Employees
- Manage Your Waste Properly
- Keep Records
- More information available on our website:
www.hennepin.us/hwgenerators

Violation: Failure to close container



Enforcement

\$575.00 citation for operating without a license

Resources

- ❖ [Hazardous Waste Generator Citation Payable Fines](#)
- ❖ [Hazardous Waste Licensing and Renewal](#)

\$525.00 citation for not reporting a waste

Operating Without License	ORD 7(3)(1)	\$575
Submit License Renewal Application	ORD 7(3)(5)	\$575
Submit License Application – Facility	ORD 7(3)(5)(C)	\$500
Feedstock Records	MNR 7045.0125(5)(B)	\$825
By-product Records	MNR 7045.0125(6)(A)(1)	\$825
Evaluate Waste	MNR 7045.0214(1)	\$825
Evaluate Waste prior to Mingling	MNR 7045.0215(1)	\$825
Identification Number	MNR 7045.0221	\$275
Post License Public Area	MNR 7045.0225(2)	\$275
Amended License Application for New Waste	MNR 7045.0243(3)(G)	\$575
Update License Renewal Application	MNR 7045.0248(1)	\$525
Improperly Completed Manifest	MNR 7045.0261(7)	\$575
Manifest Requirements	MNR 7045.0265(1)	\$325
Submit Initial Manifest Copy	MNR 7045.0265(1)(D)	\$325
Submit Final Manifest Copy	MNR 7045.0265(4)	\$325

1. Report all wastes to Hennepin County **using the Step 2 Online Waste Survey**
2. Finish the steps to obtain a generator license if you are directed to do so
3. Properly manage and dispose of your waste

Your Next Steps

- Congratulations, you have finished the online training for retailers and wholesalers.
- Please return to the STEP 2 Online Waste Survey and complete the fields. **You may use this presentation to help answer the STEP 2 questions, so we suggest you keep this presentation open.**
- If you have questions about this training, please call 612-348-3777 and ask for the environmental specialist on call.