



# Regulated Materials Disposal Policy

Policy # OE019  
Effective: 4-15-2020

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Policy Owner: Director, Office of Environmental Stewardship

Policy Contact: Regulated Materials Unit Supervisor, Office of Environmental Stewardship

## Policy Statement

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The Minnesota Department of Transportation's (MnDOT's) Office of Environmental Stewardship (OES) must develop and maintain a Regulated Materials Management Program and maintain a list of [MnDOT Approved Waste Contractors and Recyclers](#). Approved contractors must be used for recycling or disposal of all regulated materials generated from MnDOT facilities and project construction sites. For product reuse, see the [Transfer of Ownership Process and Form](#).

MnDOT must conduct an environmental audit and financial review before approving a facility as an Approved Waste Contractor or Recycler. MnDOT must conduct an environmental audit on each facility every three years thereafter.

The Regulated Materials Unit within OES must provide training on managing regulated materials to District Maintenance Personnel every two years.

## Reason for Policy

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The [Comprehensive Environmental Response, Compensation, and Liability Act](#) (CERCLA - commonly known as Federal Superfund), the [Minnesota Environmental Response and Liability Act](#) (MERLA – commonly known as State Superfund), and the [Resource Conservation and Recovery Act](#) establish legal responsibility and environmental liability for disposal of regulated materials, including hazardous waste, solid waste, and recycled waste. These laws hold the generator of regulated materials responsible for the final disposition of the materials and the environmental impacts that may occur at any time in the future at the disposal site.

This policy seeks to standardize the requirements for disposal and recycling of regulated materials and to reduce MnDOT's legal, environmental, and financial liability in disposing or recycling of regulated materials. MnDOT manages its liability risk for potential cleanup of regulated materials by ensuring that those who handle, recycle, and dispose of it comply with regulations and have the ability to absorb the financial costs of cleanup.

## Applicability

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All MnDOT employees and third parties working on MnDOT projects must comply with this policy.

Key stakeholders affected by this policy include:

- District Safety Administrators
- Inventory Transportation Materials Supervisors
- Transportation Materials Technicians
- Regulated Materials Unit
- Office of Audit
- Office of Environmental Stewardship

## Definitions

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### **Environmental Audit**

An evaluation and understanding of a waste contractor's business operations, practices for management of regulated materials, financial condition, and environmental compliance history.

Note: An environmental audit is a risk management tool for determining whether to use a waste contractor for recycling or disposal of MnDOT regulated materials.

### **Regulated Material**

Any material that is subject to regulations for storage, disposal, recycling, or reuse. This material cannot remain on site because it would be considered a pollutant or contaminant as defined in Minnesota Statutes, section 115B.02, subdivision 13; Land Pollution as defined in Minnesota Rules, part 7035.0300, subpart 53; or solid waste as defined in Minnesota Rules, part 7035.0300, subpart 100.

## Responsibilities

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### **District Safety Administrator and/or Inventory Transportation Materials Supervisor**

- Select appropriate disposal/recycling option for regulated materials generated at MnDOT operational facilities from the list of MnDOT Approved Waste Contractors and Recyclers provided on the [MnDOT Regulated Waste Management webpage](#).
- Coordinate permanent [retention of disposal documentation](#) for maintenance-generated regulated materials in eDOCS/eDIGS.

### **Project Engineer**

- Coordinate selection of appropriate disposal/recycling option for regulated materials generated on MnDOT construction projects from the list of MnDOT Approved Waste Contractors and Recyclers provided on the [MnDOT Regulated Waste Management webpage](#).
- Coordinate permanent [retention of disposal documentation](#) for construction-generated regulated materials in eDOCS/eDIGS.

### **Regulated Materials Unit, Office of Environmental Stewardship**

- Maintain a list of [MnDOT Approved Waste Contractors and Recyclers](#).
- Conduct environmental audit of potential waste contractors.
- Conduct environmental audit of each approved waste contractor every three years.
- Every year, review each District headquarters' records of regulated materials generated at MnDOT operational facilities to ensure proper use of MnDOT approved waste contractors and document storage.

- Every three years, review each truck stations' records of regulated materials generated at MnDOT operational facilities to ensure proper use of MnDOT approved waste contractors and document storage.
- Provide regulated materials/waste management training to District Maintenance Personnel every two years.
- Provide annual regulated materials/waste management workshop to District Safety Administrators, Inventory Transportation Materials Supervisors, and other district designated maintenance personnel who take on additional regulated materials/waste duties.

#### **Office of Audit**

- Conduct financial review to ensure financial stability of companies prior to approval for acceptance of MnDOT's regulated materials.

#### **Employees**

- Be aware that MnDOT has a process for managing regulated materials.
- Know where to dispose of or recycle regulated materials produced through work tasks.

#### **Policy Owner (Director, Office of Environmental Stewardship)**

- Review policy every 2 years, or sooner as necessary, to ensure policy remains up-to-date.
- Ensure reference materials, forms, and training associated with policy remain current.
- Work with Policy Coordinator to revise policy and/or confirm its accuracy.
- Communicate new policies as well as revisions, reviews, and retirements to stakeholders.

## **Resources & Related Information**

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#### **Forms**

- [Transfer of Ownership Process and Form](#)

#### **Processes, Procedures, and Instructions**

- [Regulated Materials and Waste Guidance Documents](#)
- [Managing Regulated Materials on Building and Bridge Projects](#)
- [MnDOT Steel Structure Paint Removal Program](#)
- [Guidance for entering records into eDOCS/eDIGS](#)

#### **Resources**

- [MnDOT Regulated Waste Management webpage](#)
- [MnDOT Approved Waste Contractors and Recyclers](#)
- [Record Retention Schedule](#)
- Business Data Catalog (BDC) – accessible from employee Intranet
- MnDOT's [Policy Website](#)

## History & Updates

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Title: *Regulated Materials Disposal Policy (2020)*

	<b>Date</b>	<b>Comments</b>
<b>Initial Adoption</b>	4-15-2020	Policy #OE019 adopted
<b>1<sup>st</sup> Revision</b>		
<b>2<sup>nd</sup> Revision</b>		
<b>3<sup>rd</sup> Revision</b>		

## Authorization

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**Policy Owner:**

Signature: **Marni Karnowski** Digitally signed by Marni Karnowski  
Date: 2020.04.14 15:23:53 -05'00'

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Governance Committee** has reviewed this policy and recommends approval:

Signature: **Corrine Calhoun** Digitally signed by Corrine Calhoun  
Date: 2020.04.15 07:47:34 -05'00'

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Responsible Senior Officer:**

Signature: **Nancy Daubenger** Digitally signed by Nancy Daubenger  
Date: 2020.04.15 21:58:25 -05'00'

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

## Policy Review

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This policy has been reviewed by the Policy Owner, the policy content is current, and no significant modifications are needed. Minor modifications have been noted in the "Comments" section.

Date	Policy Owner Signature	Comments