

Waste Regulation

The overall purpose of regulating waste is to prevent harm to human health and the environment through proper management of waste and other process byproducts. Waste and other potential pollutants are classified according to the inherent toxicity and degree of potential harm the material presents to human health and the environment. In general terms, potential harm ranges from hazardous waste with the most restrictive regulations to demolition or construction debris which presents a much lower potential to adversely impact human health or the environment.

While there are numerous types of waste, the statutory definitions of solid waste and pollutant or contaminant are broadly written, encompassing a wide range of materials that must be properly managed. All wastes, regardless of degree of toxicity or potential to cause harm must be managed according to applicable regulation.

All wastes generated from Mn/DOT construction and maintenance operations must be managed in accordance with regulations and departmental procedures (as contained in this website and other sources of information maintained by the Mn/DOT Office of Environmental Services) in order for the department to be compliant with regulations, reduce future liability to the extent possible for waste management practices and to be good stewards of the environment.

Important information to consider in managing waste materials includes the following:

- Because statutory definitions of solid waste and pollutant or contaminant are broadly written, these definitions can be applied to nearly any material, making the material subject to regulation.
- The waste generator or owner is forever responsible for proper management of the waste and any future costs associated with disposal, reuse or recycling of the waste.
- Contracting with another entity to manage waste materials for the department does not indemnify the waste generator or owner from future regulatory violations or other liabilities. Mn/DOT can be held wholly or partly responsible for waste management actions even if the actions were committed by a private contractor.

Waste Definitions from Minnesota Rules:

Solid Waste: “Solid waste” means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities.

Hazardous waste: “Hazardous waste” means any refuse, sludge, or other waste material that may pose a substantial present or potential hazard to human health or the environment when improperly managed.

Mn/DOT Regulated Materials Management

Industrial solid waste: “Industrial solid waste” means all solid waste generated from an industrial or manufacturing process and solid waste generated from non-manufacturing activities such as service and commercial establishments.

Mixed municipal solid waste: “Mixed municipal solid waste,” means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection.

Demolition debris: “Demolition debris” means solid waste resulting from the demolition of buildings, roads, and other structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos wastes and treated wood.

Construction debris: “Construction debris” means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

Pollutant or contaminant: “Pollutant or contaminant” means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

Pollutant or contaminant does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.