

## Recycling – Salvage Yard Operating Requirements

Recycling/Salvage Yard licenses in must meet the following operating requirements.

### 1. Minnesota Pollution Control Agency (MPCA)

#### 1.1. Industrial Stormwater Permits for general storm water runoff

- a. The goals of this permit are to
  - i. reduce pollutant levels in stormwater discharges associated with industrial activity and
  - ii. protect water quality.
- b. These are in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.
- c. Any facility engaged in a “Narrative Activity” or a “Primary SIC Code” needs to apply for an [Minnesota Pollution Control Agency - Industrial Storm Water Permit](#).
- d. Each Narrative activity (a description) and Primary SIC Code (four digit number) is listed in this [Multi-Sector General Permit](#).

#### 1.2. Federal National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Construction Stormwater General Permit

When stormwater drains off a construction site, it carries sediment and other pollutants that can harm lakes, streams, and wetlands. The U.S. Environmental Protection Agency estimates that 20 to 150 tons of soil per acre are lost every year to stormwater runoff from construction sites. MPCA issues coverage to construction site owners and their operators under the Construction Stormwater general permit to prevent stormwater pollution during and after construction and protect Minnesota's water resources. You need permit coverage if you are the owner or operator for any construction activity disturbing: One acre or more of soil or less than one acre of soil, if that activity is part of a larger "common plan of development or sale" that covers more than one acre. More information is available from [Minnesota Pollution Control Agency - Construction Stormwater](#).

#### 1.3. Water Pollution: Duty to Notify

- a. The [Minnesota Duty Officer Program](#) provides local and state agencies state-level assistance for emergencies, serious accidents, or incidents, or for reporting hazardous materials and petroleum spills. The duty officer is available 24 hours per day, seven days per week at 651-649-5451.
- b. [Min. Stat. 115.061](#) describes the notification requirements for spills:
  - (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state, and the responsible person shall recover as rapidly and as thoroughly as possible such substance or material and take immediately such other action as may be reasonably possible to minimize or abate pollution of waters of the state caused thereby.
  - (b) Notification is not required under paragraph (a) for a discharge of five gallons or less of petroleum, as defined in [section 115C.02, subdivision 10](#). This paragraph does not affect the other requirements of paragraph (a).

#### **1.4. Air Permits**

- a. In Minnesota, air quality (AQ) operating permits are required for certain existing air emission facilities.
- b. AQ construction permits may be required before beginning construction on either new facilities or modifications to existing facilities.
- c. Facilities that have the potential to emit (PTE) any regulated pollutant in amounts greater than specific thresholds must obtain a total facility permit.
- d. Certain sources that have low actual emissions (as opposed to PTE) may qualify as a conditionally exempt source by complying with technical standards.
- e. Applicable rules and regulations must still be complied with at all times as outlined in [Minn. R. 7008.2000](#).
- f. More information is available from the [Minnesota Pollution Control Agency/Air Permits](#).

#### **1.5. Storage Tanks**

- a. The Tank Compliance Programs provide information and assistance to tank owners and others regarding technical standards required of all regulated underground storage tank (UST) and aboveground storage tank (AST) systems.
- b. The MPCA regulates heating fuel USTs larger than 1,100 gallons that are used to store fuel oil for heating the premises where the tank is located. Heating oil tanks of 1,100 gallons or less are not regulated by the MPCA.
- c. Owners of USTs with a capacity of 110 gallons or more and ASTs with a capacity of 500 gallons or more, which contain petroleum or hazardous substances used commercially, must notify the MPCA of the existence of these tanks.
- d. Tank owners must also notify the MPCA within 30 days after any product change or status change (tank closure, removal, new owner, etc.) relating to a regulated tank.
- e. Notification requirements can be met by completing either the UST Notification form or AST Notification form, as applicable, and submitting the signed form to the MPCA. The notification requirements are found in state law ([Minn. Stat. 116.48](#)).
- f. More information is available from the [Minnesota Pollution Control Agency - Storage Tanks](#).

#### **1.6. Hazardous Waste**

- a. In Minnesota, commercial entities that produce any amount of hazardous waste are regulated as hazardous waste "generators." Treatment, storage, and disposal of hazardous waste is regulated by the [Resource Conservation and Recovery Act \(RCRA\)](#) and Minnesota Hazardous Waste Rules. The MPCA regulates and provides assistance to generators in Greater Minnesota.

- b. In the Twin City Metropolitan area, Hennepin County hazardous waste programs regulate and provide assistance to generators. Additional information listed below in Section 3. Hennepin County Environment and Energy.
- c. Additional information is available from the MPCA:
  - [Hazardous waste](#)
  - [Vehicle dismantling and salvage](#)
  - [Managing waste tires](#)
  - [Used oil and related wastes](#)
  - [Hazardous scrap metal](#)

## 2. Minnesota Department of Health (MDH)

### 2.1. Radioactive Materials Management

If the radiation detector alerts a facility to the presence of radioactive materials, facilities will then reject the load and will send it back. To send the load back, MN Department of Transportation (MNDOT) requires that the driver obtain a Special Permit to transport radioactive material. This allows the driver to avoid all other MNDOT HAZMAT requirements for transporting. The MDH Radioactive Materials Unit is the authorizing agency that issues the Special Permit to transport radioactive material. For questions contact [health.ram@state.mn.us](mailto:health.ram@state.mn.us) or 651-201-4400.

### 2.2. Wells and Borings

- a. The Minnesota Well Code requires a 50-foot minimum isolation distance between a scrap yard and a water-supply well (i.e., domestic, irrigation, agriculture, commercial, industrial, or heating/cooling well). The City of Minneapolis is the delegated authority for enforcing the Minnesota Well Code for all water-supply wells within the City, except community public water-supply wells. See Section 4. City of Minneapolis. Additional information is available from the [Minnesota Well Management Program](#).
- b. Drinking Water Protection: If an onsite well is used for water supply, it may be considered a public water system under the federal [Safe Drinking Water Act \(SDWA\)](#) and subject to inspection and monitoring under the SDWA and [Minnesota Rules, Chapter 4720](#). Contact the Minnesota Department of Health at 651-201-4700 regarding these requirements.

## 3. Hennepin County Environment and Energy

### Hazardous Waste Permitting

All businesses located in Hennepin County that produce hazardous waste must be licensed. Minnesota Hazardous Waste Rules require that anyone who produces or manages a waste must carefully examine a waste's characteristics in order to determine whether or not it is hazardous. Email a [Hennepin County Environmental Protection Specialist](#) or call 612-348-3777. More information is available from [Hennepin County Hazardous waste licensing and renewal](#).

## 4. City of Minneapolis

The City of Minneapolis has [Specific development standards](#) that apply to Recycling/Salvage/Scrap yards. These are additional regulations for the unique characteristics of certain land uses. More information is available from the [Minneapolis Code of Ordinances Ch 350](#) and [Chapter 530](#).

**4.1.** Scrap/salvage yards established or expanded after May 2000 shall be located at least three hundred (300) feet from any residence or office residence district.

**4.2.** Any new scrap/salvage yard and any substantial intensification of an existing facility shall require approval of a conditional use permit. For the purposes of regulating scrap/salvage yards, substantial intensification shall mean any of the following:

- a. Any geographic expansion of the facility.
- b. The addition of any structure or expansion to the bulk of any structure, except additions or expansions designed primarily to provide weather protection or noise or air pollution abatement for existing shredding, milling, grinding, baling or packing equipment for the handling of scrap or salvage materials included on a certified list of such equipment properly submitted to the zoning administrator by August 31, 1992, in accordance with the requirements of the zoning code of 1963, and which do not change machine capacity or facility capacity.
- c. The addition of any shredding, milling, grinding, baling or packing equipment for the handling of scrap or salvage materials, or the replacement of any existing shredding, milling, grinding, baling or packing equipment for the handling of scrap and salvage materials not included on a certified list of such equipment properly submitted to the zoning administrator by August 31, 1992, in accordance with the requirements of the zoning code of 1963.
- d. The replacement of any existing shredding, milling, grinding, baling or packing equipment for the handling of scrap and salvage materials included on a certified list of such equipment properly submitted to the zoning administrator by August 31, 1992, in accordance with the requirements of the zoning code of 1963, which results in an increase of greater than ten (10) percent in the rated compression capacity, shear force capacity or other appropriate power or capacity measurement approved by the zoning administrator for the piece of equipment being replaced.

**4.3.** All scrap/salvage yard facilities shall provide the following with any application for conditional use permit:

- a. A vicinity plan that includes the following:
  - i. A description of natural features, including streams, rivers, lakes, wetlands, and major topographical features located within three hundred fifty (350) feet of the site.
  - ii. A description of the proposal and how it compares to land uses within three hundred fifty (350) feet of the site.
  - iii. A description of any potential environmental hazard due to existing or proposed land uses, including soil, water, and air contamination.
- b. An air quality plan describing stationary and mobile source air emissions, their quantities and composition, and indicating conformance with all applicable air quality regulations.
- c. A dust management plan describing dust emission sources, their quantity and composition, and how dust will be collected, managed, and disposed of, and indicating conformance with all applicable dust emission regulations.

- d. A sound attenuation plan describing sources of sound and indicating conformance with all applicable sound and noise regulations.
- e. A vibration dampening plan describing sources of vibration and indicating conformance with all applicable vibration regulations.
- f. A drainage plan for stormwater management and runoff.
- g. A landscape plan showing compliance with the requirements of [Chapter 350](#), Recycling Activities and Salvage Yards, of the Minneapolis Code of Ordinances and [Chapter 530](#), Site Plan Review.
- h. A traffic plan describing the number of truck trips the proposal will generate and the principal access routes to the facility, including a description of the facility's traffic impact on the surrounding area.

**4.4.** The City of Minneapolis Regulatory Services Fire Inspection Services also regulates the Minnesota State Fire Code. Recycling/ Salvage/Scrapyards are required to abide by these requirements in [Minnesota State Fire Code](#)

- a. Permits: A permit is required to operate a wrecking yard, scrap/salvage yard, or junk or waste material handling plant. [MSFC Chapter 1 Part 2 Section 105.6.49](#)
- b. Storage: shall comply with [MSFC Chapter 3 Section 315](#).
- c. Burning Operations: The Minneapolis Fire Marshal and Minneapolis Pollution Control prohibit burning of any waste materials. [MCO 178 – Recreational Fires](#)
- d. Picking Rooms: To comply with [MSFC Chapter 59](#) Flammable Solids.  
Picking rooms shall be separated from storage rooms by not less than one-hour occupancy separation. Storage rooms shall be constructed as specified in the Building Code as follows:
  - Less than 100 cubic ft- metal or metal lined bin with a self-closing lid.
  - 100-500 cubic ft. - 1-HR room.
  - 500-1000 cubic ft. - 2-HR room.
  - Over 1000 cubic ft. – 2-HR & sprinklers.Picking rooms shall be provided with approved exhaust systems to adequately remove dust and lint.
- e. Outside Storage shall also comply with [MSFC Chapter 50](#) Hazardous Materials.
- f. Welding and Cutting: Welding and cutting operations shall conform to the requirements [Chapter 35 of the MSFC](#).
- g. Access to Area: Motor vehicles or any part thereof, junk or waste material, shall not be stored, displayed, or kept in such a manner as to unnecessarily hinder or endanger firefighting operations. Aisles or passageways shall be provided to permit reasonable access for firefighting operations [MSFC Chapter 5](#) and [MSFC Chapter 35](#).

- h. High-Piled Storage shall comply with [MSFC Chapter 32](#) for high piled storage

#### **4.5. Erosion and sediment control and drainage**

The purpose of this ordinance is to control or eliminate soil erosion, sedimentation and reduce the problems associated with drainage within the City of Minneapolis. It establishes standards and specifications for conservation practices and planning activities which minimize drainage problems, soil erosion, and prevent sediment from entering curb and gutter systems and storm sewer inlets where it is transported to lakes, creeks, and the Mississippi River. It is applicable to any activity where the total volume of material disturbed, stored, disposed of or used as fill does not exceed five (5) cubic yards or the area disturbed does not exceed five hundred (500) square feet provided it does not obstruct a watercourse, and is not located in a floodplain. [MCO 52 – Erosion and Sediment Control and Drainage](#)

#### **4.6. Storm water management**

The purpose of this ordinance is to minimize negative impacts of storm water runoff rates, volumes and quality on Minneapolis lakes, streams, wetlands, and the Mississippi River by guiding future significant development and redevelopment activity, and by assuring long-term effectiveness of existing and future storm water management constructed facilities for all land-disturbing projects on sites in excess of one (1) acre, including phased or connected actions. This ordinance establishes standards and specifications for conservation practices and planning activities in order to achieve policies regarding water resource management, flood control, and other community services as described in city, regional, state, and federal documents, and statutes. [MCO 54 – Stormwater Management](#)

#### **4.7. Air emission public nuisance prohibition and abatement**

It shall constitute a public nuisance and be unlawful for any person to make, continue, permit, or cause to be emitted into the open air any dust, gasses, fumes, vapors, smokes and/or odors with objectionable properties and in such quantities as would be likely to cause discomfort or annoyance to a reasonable person of normal sensibilities. Any emission of smoke, particulate matter, or other matter from any source in excess of the limitation established in or pursuant to this chapter shall be deemed a public nuisance and may be abated by the Minneapolis Health Department. Such abatement shall be in addition to all other remedies provided by law or equity. [MCO 47.110 - Public nuisance prohibition and abatement](#)

#### **4.8 Noise**

There have come into being within the city certain loud, avoidable, unnatural, and unnecessary noises, which under certain circumstances and conditions, constitute a serious threat to the health, the welfare, the contentment, and the feeling of well-being of our people. Therefore, the city council does declare that the doing of such things in a manner prohibited by, or not in conformity with, the terms of this article constitutes an undesirable noise and shall be punished as hereinafter provided. [MCO 389 - Noise](#)

#### **4.9 Pollutants prohibited**

Pollutants and levels of pollutants prohibited by this chapter shall include those prohibited by federal and state laws, regulations, and standards. Materials, substances, or wastes, or any by-products of such materials, substances, or wastes that have the potential to act as a pollutant, shall include, but shall not be limited to the following: garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, offal, oil, tar, chemicals, dredged spoil, solid waste, incinerator residue, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, cellar dirt, municipal waste, agricultural waste, sewage or industrial waste, and all

other substances not included within the definitions of sewage and industrial waste. [MCO 48.80 - Pollutants prohibited](#)

#### **4.10. Dilution prohibited**

It shall be unlawful for any person to attempt to dilute any quantity of discharge to meet compliance standards or to lessen the perceived hazard of a leak or spill. [MCO 48.90 Dilution prohibited](#)

#### **4.11. Public nuisance prohibited**

No person who owns, manages, controls, participates or has direct involvement in the operation of a device, event, practice, or site shall deliberately, inadvertently, or through an unauthorized act of third person, perform an action or allow or cause a discharge, spill or leak of any pollutant, or material or substance, which by its nature, size, quantity, concentration, location, duration or interaction with other materials, contributes to the physical, chemical, biological, aesthetic, or other alteration of waters of the state, land, air or other media upon discharge, spill, or leak. [MCO 48.100 - Public nuisance prohibited](#)

#### **4.12. Lawful removal of contamination sources**

If the city or authorized personnel determine that the risk posed by a violation or suspected violation of this chapter presents a substantial and imminent threat to the environment or public health and safety which requires swift corrective actions, and the city or authorized personnel determines that the urgency or necessity of the situation makes it not reasonably possible to obtain either consent or an appropriate court order, the city or authorized personnel shall have the right to remove the source of the threat, including but not limited to impounding motor vehicles and removing tanks or other hazardous containers. [MCO 48.115 - Lawful removal of contamination sources](#)

#### **4.13. Aboveground storage tanks for regulated substances**

No person(s) shall install, abandon, or remove any aboveground storage tank of two hundred (200) gallons (or pounds for propane) or more in size without first filing a tank installation, abandonment or removal application, paying the authority all permit fee(s) required by section 48.310, and obtaining the proper tank permit from the authority. [MCO 48.120 - Aboveground storage tanks for regulated substances](#)

#### **4.14. Registration of regulated substance storage**

No person(s) shall allow or maintain any storage of regulated substances in excess of two hundred (200) gallons (or pounds, if propane) without first having registered such storage with the authority and paying the annual registration fee(s) required by [section 48.310](#). A separate registration shall be required for each container meeting the two hundred (200) gallon or pound threshold. For a site containing multiple smaller containers a registration shall be required for each multiple of two hundred (200) gallons or pounds, as applicable, rounded downward to the nearest whole number. All storage taking place at residential buildings or properties with three (3) or less dwelling units are exempt from registration fees. Liquid propane tanks used or stored at a single location for less than six (6) months shall be exempt from registration fees. [MCO 48.125 - Registration of regulated substance storage](#)

#### **4.15. Underground storage tanks for regulated substances**

Prior to beginning installation of any underground storage tank regulated by the state, owner and operators must notify the authority of their intent to install the underground storage tank system and pay a filing fee required by [section 48.310](#). Notification can be a copy of the state form, or the city supplied form. Notification must include type of tank system to be installed, method of cathodic

protection, and release detection and site plan. [MCO 48.130 - Underground storage tanks for regulated substances](#)

#### **4.16. Soil sampling required for storage tank closure**

When any regulated substance storage tank in excess of one thousand one hundred (1,100) gallons is removed or abandoned in place, soil samples shall be taken at time of removal/abandonment as described below. Tanks that have external release detection and have been operated according to the requirements of [Minnesota Rules Part 7150.0330](#) shall be exempt. Within forty-five (45) days a report shall be submitted to the authority documenting the presence or absence of any contaminant release. [MCO 48.140 - Soil sampling required for storage tank closure](#)

#### **4.17. Fuel oil tanks less than one thousand one hundred (1,100) gallons**

Prior to beginning installation, removal or abandonment, of a fuel oil tank less than one thousand one hundred (1,100) gallons, the owner and operators must submit a permit application to the authority, pay a filing fee required by [section 48.310](#), and receive a permit. [MCO 48.145 - Fuel oil tanks less than one thousand one hundred \(1,100\) gallons](#)

#### **4.18. Underground and aboveground storage tanks not in service**

Underground and aboveground tanks which contain regulated substances and are not in active service for more than ninety (90) days shall be treated as "temporarily out of service." [MCO 48.150 - Underground and aboveground storage tanks not in service](#)

#### **4.19. Annual chemical inventory registration**

Any owner or operator of land, buildings, or structures where a daily inventory of chemicals is maintained exceeding minimum thresholds as identified in [section 48.170](#) shall obtain an annual chemical inventory registration for their facility. [MCO 48.160 - Annual chemical inventory registration](#)

#### **4.20. Registration of contaminated sites**

Any person(s) in control of any contaminated site within the City of Minneapolis shall register that site annually with the authority. [MCO 48.230 - Registration of contaminated sites](#)

#### **4.21. On-site remediation**

No person shall conduct or perform any on-site remediation as defined in [MCO 48.10](#) without having obtained an on-site remediation permit from the authority. On-site remediation may include but is not limited to excavation and removal of contamination, grading, thermal evaporation treatment, closed chamber burning, microbial treatments, thin spreading, soil venting, soil capping, soil burning, or other substance recovery or disposal systems. [MCO 48.240 - On-site remediation](#)

#### **4.22. Wells and borings**

The purpose of this section is the protection of the hydrologic cycle and ground water as a natural and public resource through the regulation of well and boring construction, maintenance, and sealing. No person shall construct, modify, or reconstruct any well without first having filed for a well construction permit. A notification must be submitted prior to the sealing of well or the construction and sealing of a temporary boring. Any person that owns a well, unless sealed, shall register each well annually. [MCO 48.260 - Wells and borings](#)

#### **4.23. Oil/water separators and sediment trap permit and registration fees**

No person(s) shall install, remove, or maintain an oil/water separating device or sediment trap without notifying the authority and paying the permit and annual registration fee(s) as required by section [48.310](#) of the Minneapolis Code. [MCO 48.270 - Oil/water separators and sediment trap permit and registration fees](#)

#### **4.24. Motor vehicles**

All vehicles operated or parked in the city shall not cause significant pollution to soil or water resources. [MCO 48.290 - Motor vehicles](#)

#### **4.25. Contaminated material storage**

Any and all manufactured materials that have been in contact with pollutants, including but not limited to lubricating oils, cutting fluids, and marking dyes, must be stored inside a building or structure in such a manner as to prevent deposition of pollutants to the land and discharge to the storm drains.

[MCO 48.300 - Contaminated material storage](#)

#### **4.26. Permitting and pollution control annual registration fees**

For the equipment specified in [section 48.310](#) applicant(s) shall pay the permitting fee as established in [section 45.90](#) upon application and pollution control annual registration listed with the City's [License Fees](#).

#### **4.27. Surfacing**

All open off-street loading spaces shall be surfaced with a dustless all-weather material capable of carrying a wheel load of sixteen thousand (16,000) pounds. Where loading spaces are located in commercial or industrial yard areas such as building material sales yards, scrap/salvage yards, metal milling facilities, contractor yards, and other similar uses, the driveway leading to such area shall be surfaced with a dustless all-weather material capable of carrying a wheel load of sixteen thousand (16,000) pounds for a minimum of twenty (20) feet from the curb line.

[MCO 541.1120 - Loading Area Design and Maintenance - Surfacing](#)