

Circulation:

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Empty Container – Federal Requirements

40 CFR 261.7 - For bulk and non-bulk containers, IMACC requires the EPA defined degree of empty found in 40 CFR 261.7. With regard to most regulated residues, EPA's 40 CFR 261.7 states, a container is empty if:

(i) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating, **and**

(ii) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, or

(iii)(A) No more than 3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size; or

Empty Non Bulk Container

─ Non Bulk





(iii)(B) No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size.

| IBC's - Bulk

Empty Bulk Container (IBC)









49 CFR 173.29 (a) Empty packagings - IMACC requires the packaging preparation and the degree of empty required by DOT. The following states the requirements:

(a) General. Except as otherwise provided in this section, an empty packaging containing only the residue of a hazardous material shall be offered for transportation and transported in the same manner as when it previously contained a greater quantity of that hazardous material.

(i.e., all openings must be closed, and all markings and labels must be in place). Additionally:

This means all labels and closures (plugs, covers, rings, caps, valves, etc.) are in place and assembled, and the drum is to have the integrity to contain the material as if full (no holes, rips or tears).

For Non-Bulk Containers (maximum capacity of 119 gallons) a DOT shipping paper <u>is not</u> <u>required</u> for transportation of any empty drum for reconditioning via contract or private carrier. DOT placarding is not required for vehicles carrying empty containers.

For Bulk Containers - previously containing hazardous materials - (capacity exceeding 119 gallons) a DOT shipping paper is required for transportation of any IBC for reconditioning via contract or private carrier. DOT placarding is required for vehicles carrying empty bulk containers.

49 CFR 172.203(e) – When Shipping Papers are Required

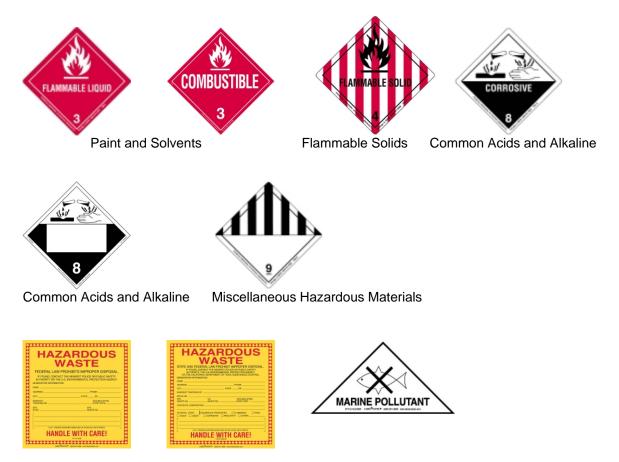
Empty Packagings. (1) The description on the shipping paper for a packaging containing the residue of a hazardous material may include the words "RESIDUE: Last Contained ______" in association with the basic description of the hazardous material last contained in the packaging.

Additional parts of 173.29 may apply.



The following illustrates DOT hazardous materials and Other Materials is generally approved for acceptance:

Packagings with the following labels or placards:



The Shipping Papers must contain a signed statement from the emptier that the packagings are emptied in accordance with 40 CFR 261.7 (i.e., the IMACC Container Receiving Record) or a label such as:





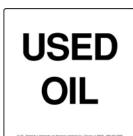
Generally approved for acceptance:

Non Hazardous Materials

Containers with non-hazardous ladings (not marked with the above labeling), not regulated by DOT or as follows are generally approved for acceptance. However, if these packagings are not drip dry empty, a heal agreement is required. See the Plant Manager if you have any questions.









Unused Virgin Oil, Lube Oil And Grease Drums

Depending on an evaluation by IMACC Environmental personnel, exceptions can be made to the non-accept list and never accept list on a case-by-case and chemical specific basis and must be in writing. Consideration for acceptance can be made based on the following:

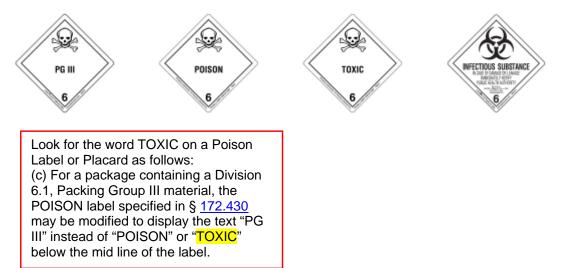
- The percentage of the chemical in the residue is low and over-conservative labeling by the manufacturer is evident.
- How much of the residue is physically present (e.g., methanol may be fully evaporated and not present in the container), or
- If the chemical residue actually decontaminates the container by its cleaning properties.



Not approved for acceptance:

<u>Material Safety Data Sheets</u> which state the packagings are not to be reconditioned or reused or must be <u>triple rinsed</u> before offering to a reconditioner.

<u>Poisons, Pesticides, Infectious Substances and Agricultural Chemicals</u> - The following packagings may not be transported by IMACC contract drivers or received at IMACC, LLC without expressed written approval.



Exceptions to poison drums are drip dry empty Methanol (Methyl Alcohol) drums and drums which are <u>triple rinsed</u> and approved for acceptance in writing. This category includes:

- Poisons Class B (Old DOT Designation)
- Poisons Hazard Class 6.1 Packaging Group II (Skull & Cross Bones)
- Poisons WHMIS (Canada) Skull & Cross Bones

Packaging Group III Poison drums (previously having a St. Andrews Cross and Wheat DOT Label) require the submittal of the MSDS and written approval before acceptance.

Triple rinsed drums will be marked as follows:





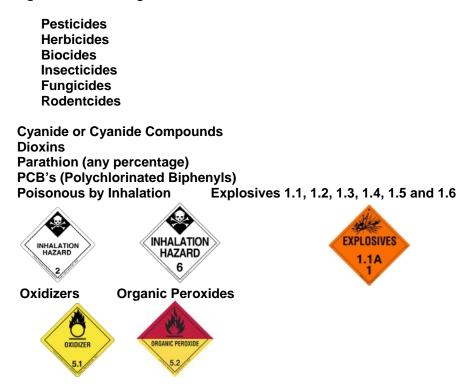
Not approved for acceptance:

<u>Radioactive</u> - The following packagings are not expected to be available for cleaning or reconditioning. These will never be transported or received.



The following is a list of residues IMACC, LLC never accepts unless by written exception:

Agricultural / Biological Chemicals



Ladings where the MSDS specifies the container is not to be reused; triple rinsing or equivalent cleaning methods may be allowed if specified on the MSDS.



Other non-accept materials lists without triple rinsing and written consent include:

- The Federal List Regulations for Acute Hazardous Waste 49 CFR Section. 261.31, 261.32, or 261.33(e) Includes P Listed Wastes
- IMACC, LLC Historical Non Accept List

111-Trichloroethane Acrylonitrile Alkyl Chloride Ammonia Perchlorate Ammonium Fluoride Aqua Ammonia (any percentage) Benzene **Benzoyl Chloride** Butylacrylate Carbon Tetrachloride **Chlorinated Phenols** Chloroform Chloroprene Ethyl Chloride Ethylene Dichloride Formaldehyde (any percentage) Hexachlorobenzene Hydrofluoric Acid (any percentage) Hydrogen Chloride Inerteen 70 - Monsanto Lined Drums Methyl Chloroform Methylene Chloride (any percentage) Penta (Pentachloraphenol) Perchloric Acid Perchloroethylene (Perc) P-Listed Wastes (Triple Rinsed Requirement) Potable Coagulant Silicon Sodium Bisulfide Toluene Diisocyanate (TDI) Trichloroethylene Triethylamine Vinyl chloride Vinylidene Chloride



Triple Rinse Data Requested for Acceptance

If Triple Rinsing is required for acceptance, please forward a copy of the triple rinse procedure, work instructions, training and triple rinse label procedures. Please describe rinsate disposal procedure and the status of any permit needed to triple rinse or discharge. Please describe the degree of decontamination achieved by triple rinsing in the following context:

- 1) <u>Minimum Triple Rinse Criteria</u> The container or inner liner has been triple rinsed using a solvent capable of removing the waste and all pourable residues have been removed from the container. CCR Title 22 66261.7 (d) applied to all hazardous materials.
- Label Removal Criteria The packaging is sufficiently cleaned of residue and purged of vapors to remove any potential hazard; including Hazard Categories Under Criteria of SARA Title III Rules (40 CFR Part 370) - Immediate (Acute) Health. 49 CFR 173.29(b)(2).
- Label Removal Criteria Any material contained in the packaging does not meet the definitions in 40 CFR § <u>171.8</u> of this subchapter for a hazardous substance, a hazardous waste, or a marine pollutant. 49 CFR 173.29(b)(3).
- <u>Empty Container Criteria</u> The degree of empty required by the California Contaminated Container (empty container) standard and DOT requirements are met. CCR Title 22 66261.7 (b).

This will help us disposition the drums, and assist us in an approval decision.