

Indiana Department of Environmental Management
Office of Land Quality
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Title: Disposal of Empty Containers as Solid Waste

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Other Policies Repealed or Amended: None

Citations Affected: 40 CFR 261.7, 329 IAC 3.1-6-1(b), 40 CFR 261.31, .32, .33,

Brief Description of Subject Matter: Disposal of Empty Containers as Solid Waste

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DISPOSAL OF EMPTY CONTAINERS AS SOLID WASTE

The Indiana Department of Environmental Management (IDEM) has established criteria for the disposal of empty containers as a solid waste into any permitted municipal solid waste landfill. These criteria were established so that individuals who work with solid waste, particularly landfill operators, would be able to identify and confirm that the containers received would not pose an environmental, safety, or health hazard during handling, transportation, or disposal.

The following guidelines are IDEM's criteria for the disposal of empty containers:

- A. Containers must be properly prepared for the disposal according to the hazards associated with the previously contained material:
 - 1. If the containers held a hazardous material, it must be empty according to 40 CFR 261.7 per reference 329 IAC 3.1-6-1(b) (see attachment for summary).
 - 2. Agricultural chemical containers should be triple rinsed.
 - 3. For all other containers that do not fall under 1 or 2 of the above:
The material or residue must be removed from the containers (as much as physically possible) so not to pose a safety hazard to individuals who may come in contact through handling, transportation, or disposal.

- B. After the containers have been properly prepared according to the above criteria, it is further recommended that:

1. One end of all containers should be removed so that the container can be easily identified as empty, and
2. The other end should be removed or the integrity be destroyed to prevent the reuse of the container. This guideline is especially important for 30-gallon and 55-gallon drums.

If the disposal site operators question whether the containers have been properly prepared for the disposal, they may require the generator to submit a letter which confirms that all containers are empty according to RCRA and the above criteria.

If you have any questions concerning the information contained in this memo, please contact the Compliance Branch, Office of Land Quality at 317/234-6923.

ATTACHMENT

**Summary of the RCRA Regulations for Residues of
Hazardous Waste in Empty Containers
40 CFR 261.7**

A. A container or liner removed from a container that has held any hazardous waste (except a waste that is a compressed gas or that is identified as an acute hazardous waste as listed in 40 CFR 261.31, .32, .33) if empty if:

1. All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, (e.g. powering, pumping, and aspirating); and
2. No more than 2.5 centimeters (one-inch) of residue remain on the bottom of the container or inner liner; or
3. 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 110 gallons in size;

OR

No more than 0.3 percent by weight of the total capacity of the container remains in the container or the inner liner of the container if the container is greater than 110 gallons in size.

B. A container that has held a hazardous waste that is a gas is empty when the pressure in the container approaches atmospheric pressure.

C. A container or an inner liner removed from a container that has held an acute hazardous waste as listed in 40 CFR 261.31, .32, .33 is empty if:

1. The container or inner liner has been triple rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate. (NOTE: The rinsate is a hazardous waste and must be disposed of accordingly.)
2. In the case of a container, the inner liner that prevented contact of the commercial chemical product or manufacturing chemical intermediate with the container has been removed.

These guidelines do not preclude the responsible party from liability should mishandling, or improper disposal occur. The containers must not present an environmental, safety, or health hazard to individuals involved with the storage, handling, or disposal of these waste materials.