



**LOS ANGELES COUNTY FIRE DEPARTMENT
HEALTH HAZARDOUS MATERIALS DIVISION
UNIFIED PROGRAM AGENCY**



**EMPTY CONTAINER MANAGEMENT
GUIDANCE DOCUMENT**

GD - 3- HW - 2007

BACKGROUND

If a container that previously held hazardous waste meets the regulatory definition of “empty” and established management practices are met, then the “empty” container is exempt from further hazardous waste regulation.

DEFINITION OF “EMPTY CONTAINER”

- All materials must be removed, to the best extent possible, from the container:
- For containers that held a material that can be readily poured, all material must be removed by any practicable means (including pumping, aspirating and draining) before the container can be considered empty.
- For containers that previously held materials that are non-pourable, no hazardous material shall remain in the container that can feasibly be removed by physical methods including scraping and chipping. This applies to materials that pour slowly or don't pour at all from the container, including, but not limited to, viscous materials, solids that have “caked up” inside the container, and non-pourable sludges.
- Containers that held acute or extremely hazardous waste are considered empty if the container has been triple rinsed using a solvent capable of removing the material or cleaned by another method that is proven to achieve equivalent removal to triple rinsing.

MANAGEMENT PRACTICES

In order to retain the exemption from regulation, “empty” containers shall be managed pursuant to the following management practices:

Containers larger than five gallons in capacity:

Containers larger than five gallons in capacity shall be marked with the date they have been emptied and shall be managed within one year of being emptied by one of the following methods:

- By reclaiming the container's scrap value onsite or by sending the container to a person who reclaims the container's scrap value; or
- By reconditioning or remanufacturing the container onsite, or by shipping the container to a person who reconditions or manufactures the container.
- If the container has been shipped offsite, the name, street address, mailing address, and telephone number of the facility where the empty container has been shipped shall be maintained for three years.

Containers of five gallons or less in capacity:

- “Empty containers” of five gallons or less in capacity can be managed by one of the following methods:
 - ✓ By disposing of the container at an appropriate solid waste facility;
 - ✓ By reclaiming the container's scrap value onsite or by sending the container to a person who reclaims the container's scrap value; or
 - ✓ By reconditioning or remanufacturing the container onsite, or by shipping the container to a person who reconditions or remanufactures the container.

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SPECIAL PROVISIONS FOR SPECIFIC CONTAINERS

Compressed gas cylinders

Compressed gas cylinders are exempt from regulation when the pressure in the cylinder approaches atmospheric pressure.

Aerosol containers

- Aerosol containers are exempt from regulation when the container is emptied to the maximum extent practical under normal use provided that:
 - ✓ The empty container is not regulated by federal law under the Resource, Conservation and Recovery Act of 1976 (RCRA); and
 - ✓ The aerosol container did not previously hold an acute or extremely hazardous waste.
- Partially filled aerosol containers (i.e., aerosol containers with hazardous material remaining in the container due to a clogged nozzle) are not exempt from regulation and shall be managed as hazardous waste.

Containers made of absorptive materials

Containers made of absorptive materials (i.e., wood, cardboard and paper) are not exempt from regulation if the container was in direct contact with and has absorbed the hazardous material.

Disclaimer

This guidance document does not replace or supersede relevant statutes and regulations. It is intended for informational purposes only and may not encompass all of the statutes and regulations to this topic. More details may be found at Cal EPA Department of Toxic Substances Control (DTSC) www.dtsc.ca.gov. If further information is needed, call the County of Los Angeles CUPA at (323) 890-4045.