



Closed Containers

THIS POLICY DOES NOT HAVE THE FORCE OF LAW

Hazardous Waste

This fact sheet supersedes DHWM's 1995 guidance titled, "Guidance on the Definition of closed Container." The purpose of this fact sheet is to clarify what constitutes a "closed" container as required by Paragraph (A) of rules 3745-55-73 and 3745-66-73 of the Ohio Administrative Code (OAC). The term "closed" is not formally defined in the regulations or the statutes.

BACKGROUND:

During inspections of container accumulation areas and satellite accumulation areas where hazardous wastes are periodically added to or removed from containers, a variety of operational practices pertaining to the closing of containers has been observed by inspectors. These operational practices include:

- The lid of a partially full open-top drum is set on top of the drum and not secured with a snap ring to the drum; or
- A funnel, fitted with a lid, is screwed into the drum bung hole; however, the lid may not prevent spills, and the other bung holes remain uncapped; or
- Various devices are attached to drum tops to allow hands-free placement of wastes into the drum. These devices are similar to trash can lids with manual push doors and the trash can covers opened by a foot pedal.

The intent of the requirement to maintain a closed container, as explained in the preamble to the May 19, 1980, Hazardous Waste Regulations, is "to minimize emissions of volatile wastes, to help protect ignitable or reactive wastes from sources of ignition or reaction, to help prevent spills, and to reduce the potential for mixing incompatible wastes and direct contact of facility personnel with waste." Therefore, it can be concluded that containers of hazardous waste being stored or accumulated must have all container opening covers tightly affixed to the container (i.e., snap rings secured, bung holes capped, lids affixed to the container, and container covers properly in place) when waste is not actually being added or removed from the container. However, in some situations, this approach may not be practical, and may lead to the mismanagement of hazardous wastes.

Requiring a secured container (all covers, etc., tightly affixed to the container) to which waste is frequently added may result in the mismanagement of the waste by personnel due to effort and time required to remove a snap ring, bung hole cap, or other type of cover. Personnel may likely dispose of hazardous wastes into nonhazardous waste containers or pour hazardous waste liquids down the drain if they must take the time to unsecure and then secure a container each time waste is deposited.

In addition, the physical characteristic of the waste in a container is important due to the potential environmental or human health harm that may result should the contents of the container be spilled. Spilled liquid wastes can contaminate large areas requiring extensive clean-up efforts, volatilize creating dangerous conditions, and enter wastewater systems and surface waters. In the event of a spill of hazardous waste that is a solid, the area of the spill would be more contained, cleanup would be easier, and contamination to surface and wastewater is less likely to occur. Hence, when evaluating a container for compliance with the closed container rule, consideration may be given to the frequency at which wastes are added to the container and the physical characteristic of the waste (solid or liquid) being stored or accumulated.

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Taking into account the factors discussed above, the following guidance pertaining to what constitutes a “closed” container is provided. Ultimately, the decision pertaining to a “closed container” will be site-specific and subject to the inspector’s professional judgment.

WHAT ARE THE REQUIREMENTS for CONTAINERS TO WHICH WASTE WILL NO LONGER BE ADDED OR REMOVED?

Permitted Facilities & Large Quantity Generator (LQG) Accumulation Areas:

All containers of hazardous wastes (solids and liquids) are required to have container covers affixed to the container. Hence, snap rings must be tightly bolted, bungholes capped, and lids or other covers properly secured. Containers of volatile hazardous waste, either in solid or liquid form, are also required to be maintained in compliance with 40 CFR [Part 264](#) and/or [265 Subpart CC](#) requirements (i.e., no detectable emissions from the container).

Small Quantity Generator (SQG) Accumulation Areas:

All containers of hazardous wastes (solid and liquids) are required to have container covers securely affixed to the container. Hence, snap rings must be tightly bolted, bungholes capped and other container covers properly secured. Containers of volatile hazardous wastes are not subject to [40 CFR Part 265 Subpart CC](#).

WHAT ARE THE REQUIREMENTS for CONTAINERS TO WHICH WASTE IS BEING ADDED OR REMOVED:

Permitted Facilities & LQG Accumulation Areas:

For solid hazardous wastes being accumulated in containers, the cover of a container is to be placed squarely on the container, but it need not be secured while the container is in use (i.e, snap ring is not required to be secured). Also acceptable are containers of solid hazardous wastes fitted with a lid that has a swinging door or a cover opened by a foot pedal. Due to the potential for contamination if spilled and the potential for volatilization to the atmosphere, containers of liquid hazardous wastes are required to have all opening covers properly and securely affixed to the container at all times except when wastes are actually being added to or removed from the container. A funnel screwed into a bunghole and secured with a lid is also an acceptable operational practice for closing a container. If such a device is used on a container, all other openings must be properly covered or capped. In addition to the above, containers being held in LQG accumulation areas and treatment, storage, and disposal facilities are subject to the no detectable emission requirements of Subpart CC of [40 CFR Part 265](#).

SQG & Satellite Accumulation Areas:

For solid hazardous wastes being accumulated in containers, the cover of a container is to be placed squarely on the container, but it need not be secured while the container is in use (i.e., snap ring is not required to be secured). Also acceptable are containers of solid hazardous wastes fitted with a lid that has a swinging door or a cover opened by a foot pedal. Due to the potential for contamination if spilled and the potential volatilization to the atmosphere, containers of liquid hazardous waste are required to have all opening covers properly and securely affixed to the container at all times, except when wastes are actually being added to or removed from the container. A funnel screwed into a bunghole and secured with a lid is also an acceptable operational practice for closing a container. If such a device is used on a container, all other openings must be properly covered or capped.

WHAT ARE THE REQUIREMENTS FOR CONTAINERS IN WHICH HAZARDOUS WASTE IS BEING TREATED?

Ohio’s closed container requirements do not apply to containers while the container’s contents undergo treatment. OAC rule [3745-52-34\(A\)](#) states that generators may conduct treatment for ninety days or less without a permit provided that they comply with the container standards in OAC rules [3745-66-70 to 3745-66-77](#).

The closed container requirements located in OAC rule [3745-66-73](#), state containers holding hazardous waste must remain closed during **storage**, except when it is necessary to add or remove waste. Storage is defined in Ohio Revised Code Chapter [3734.01\(M\)](#), as the holding of hazardous waste for a temporary period in such a manner that it remains retrievable and

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substantially unchanged physically and chemically and, at the end of the period, is treated. Since a container is not considered to be in storage while its contents undergo physical or chemical changes (treatment), the closed container requirements do not apply. Generators must, however, comply with the closed container requirements before and after treatment. In addition, generators storing or treating hazardous waste in containers may be subject to federal regulations in **40 CFR Part 265**, Subparts AA, BB, and CC for air emissions.

WHAT ARE THE REQUIREMENTS for OTHER TYPES OF CONTAINERS?

Other types of containers may be used to manage hazardous waste. These other containers include: one cubic yard durable sacks made of woven synthetic material (polysacks), 20 cubic yard roll-off boxes, one cubic yard heavy duty cardboard boxes with a plastic liner (gaylord boxes), semi-dump trailers for the management of solid hazardous waste, and stainless steel totes and plastic totes in wire cages to handle liquid hazardous waste. Totes often have a capacity of 300 to 500 gallons. A unique method is used to close each of the containers described above. Hence, an inspector must use professional judgment and determine the intent of requiring a closed container when evaluating the “closed” condition of such containers. Large containers may need to be inspected from a vantage point so that the top of the container, where the opening is generally located, can be easily observed. For additional information regarding this fact sheet,

Contact

For more information, please contact Hazardous Waste Compliance and Inspection Support Unit at (614) 644-2621.