

3745-51-07

Residues of hazardous waste in empty containers.**(A) Hazardous waste remaining in a container.**

- (1) Any hazardous waste remaining in either an empty container or an inner liner removed from an empty container, as described in paragraph (B) of this rule, is not subject to regulation under rules 3745-50-40 to 3745-50-235 or Chapters 3745-51, 3745-52, 3745-53, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, 3745-266, or 3745-270 of the Administrative Code or to the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity.
- (2) Any hazardous waste in either a container that is not empty or an inner liner removed from a container that is not empty, as described in paragraph (B) of this rule, is subject to regulation under ~~rules 3745-50-40 to 3745-50-235 and~~ Chapters ~~3745-50,~~ 3745-51, 3745-52, 3745-53, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code and to the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity.

(B) A container that has held any hazardous waste is empty when the following criteria are met:

- (1) A container or an inner 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 in rule 3745-51-31 or paragraph (E) of rule 3745-51-33 of the Administrative Code, is empty if:
 - (a) 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
 - (b) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner; or
 - (c) Considering the capacity of the container, the following is met:
 - (i) No more than three per cent 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 one hundred nineteen gallons in size; or
 - (ii) No more than 0.3 per cent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than one hundred nineteen gallons in size.

- (2) A container that has held a hazardous waste that is a compressed gas is empty when the pressure in the container approaches atmospheric.
- (3) A container or an inner liner removed from a container that has held an acute hazardous waste listed in rule 3745-51-31 or paragraph (E) of rule 3745-51-33 of the Administrative Code is empty if one of the following is met:
 - (a) The container or inner liner has been triple rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate.
 - (b) The container or inner liner has been cleaned by another method that has been shown in the scientific literature, or by tests conducted by the generator, to achieve equivalent removal.
 - (c) 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.

(C) Containers of hazardous waste pharmaceuticals are subject to rule 3745-266-507 of the Administrative Code to determine when the containers are considered empty, in lieu of this rule, except as provided by paragraphs (C) and (D) of rule 3745-266-507 of the Administrative Code.

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Certification

09/21/2020

Date

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