

SUBJECT

DATE

1501. RCRA Empty Containers and The Debris Rule

ENCORE

AUG 25, 2022

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## TWO MINUTE TRAINING

**TO:** CENTRAL PLATEAU CLEANUP COMPANY

**FROM:** PAUL W. MARTIN, RCRA Subject Matter Expert  
CPCCo Environmental Protection, Hanford, WA

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## TWO MINUTE TRAINING

**SUBJECT:** RCRA Empty Containers and The Debris Rule

**Q:** A customer has several 55-gallon drums that previously held an "F" listed dangerous wastes. The containers have been rendered "RCRA empty" per [WAC 173-303-160\(2\)](#) [[40 CFR 261.7](#)]. Once the drums are RCRA emptied, the customer crushes the drums and places them in a roll-off box. The customer is now concerned that since the containers are no longer intact, the RCRA empty status may no longer apply, and the crushed containers are therefore "F" listed hazardous debris. Is the regulatory status of crushed RCRA empty containers, RCRA non-regulated empty containers or RCRA regulated hazardous debris?

**A:** In the [August 18, 1992, Federal Register](#) on pg., 37225, 1<sup>st</sup> column, 1<sup>st</sup> paragraph, EPA states:

*"Since containers are potentially a form of debris, there is a question whether either empty or nonempty containers are subject to the treatment standards for debris notwithstanding [§261.7](#). EPA is indicating in this rule that the debris standards do not override the empty container rule, so that rule remains in effect."*

Therefore, the customer's crushed RCRA empty drums are not debris and remain - crushed RCRA empty drums. The key to this determination is the sequence of events:

- Containers were originally intact (intact containers by definition cannot be debris).
- Containers were rendered RCRA empty and therefore not subject to dangerous waste.
- Containers were crushed after being RCRA emptied.

Hence the crushed RCRA empty drums are not hazardous debris and remain RCRA empty containers and nonregulated materials.

### SUMMARY:

- Intact containers are not debris.
- RCRA empty containers are not subject to RCRA.
- Crushed RCRA empty containers are not debris, and remain crushed RCRA empty containers.

Nothing is attached to the e-mail. If you have any questions, please contact me at [Paul W Martin@rl.gov](mailto:Paul_W_Martin@rl.gov) or at (509) 376-6620.