

CONTAINER DISTRIBUTORS, INC.

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CUSTOMER		DATE	
ADDRESS		CONTACT	
CITY/STATE/ZIP		TRAILER NUMBER	
PHONE		TOTAL CONTAINERS	

EMPTY CONTAINER CERTIFICATION FOR DRUMS AND INTERMEDIATE BULK CONTAINERS (TOTES)

I HEREBY CERTIFY THAT THESE CONTAINERS HAVE BEEN RENDERED FREE OF ALL POURABLE PRODUCT RETAIN AND ARE THEREFORE "EMPTY" AS THAT TERM IS DEFINED IN THE **NATIONAL ENVIRONMENTAL PROTECTION AGENCY REGULATIONS, 40 CFR 261.7***, AND THAT THEY HAVE BEEN PROPERLY PREPARED FOR TRANSPORTATION UNDER THE REGULATIONS OF THE **U.S. DEPARTMENT OF TRANSPORTATION, 49 CFR 173.29****

I FURTHER CERTIFY THAT IF THESE DRUMS CONTAINED MATERIALS REGISTERED UNDER THE **FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT, 42 U.S.C. 136 ET SEQ. AND 40 CFR SEC. 180**, THAT THEY HAVE BEEN TRIPLE RINSED IN ACCORDANCE WITH ESTABLISHED EPA GUIDELINES PRIOR TO SHIPMENT

SIGNATURE _____ TITLE _____

***WITH REGARD TO MOST REGULATED RESIDUES, EPA'S 40 CFR 261.7 SAYS: "A CONTAINER IS 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., POURING, PUMPING, AND ASPIRATING, AND
- (2) NO MORE THAN 2.5 CENTIMETERS (ONE INCH) OF RESIDUE REMAIN ON THE BOTTOM OF THE CONTAINER..."
- (3) NO MORE THAN 0.3 PERCENT BY WEIGHT OF THE TOTAL CAPACITY OF THE CONTAINER REMAINS IN THE CONTAINER OR INNER LINER IF THE CONTAINER IS GREATER THAN 110 GALLONS IN SIZE (IBC's)

HOWEVER, EPA HAS EXPLAINED THIS RULE, SAYING THAT "**ONE INCH OF WASTE MATERIAL IS AN OVERRIDING CONSTRAINT AND MAY REMAIN IN AN EMPTY CONTAINER ONLY IF IT CANNOT BE REMOVED BY NORMAL MEANS.** THE RATIONALE FOR THIS PROVISION IS THAT THERE ARE CERTAIN TARS AND OTHER EXTREMELY VISCOUS MATERIALS THAT WILL REMAIN IN THE CONTAINER EVEN AFTER THE CONTAINER HAS BEEN EMPTIED BY NORMAL MEANS."

FOR RESIDUES OF PRODUCTS SPECIFICALLY LISTED BY NAME IN 40 CFR 261.33(E) EPA SAYS THE CONTAINER IS EMPTY ONLY "IF THE CONTAINER HAS BEEN TRIPLE-RINSED USING A SOLVENT CAPABLE OF REMOVING THE PRODUCT", OR HAS BEEN CLEANED BY ANOTHER METHOD SHOWN TO ACHIEVE EQUIVALENT REMOVAL.

****DOT'S 49 CFR 173.29** SAYS THAT ALL OPENING ON THE EMPTY CONTAINER MUST BE CLOSED, AND THAT ALL MARKING AND LABELS MUST BE IN PLACE AS IF THE DRUM WERE FULL OF ITS ORIGINAL CONTENTS. A DOT SHIPPING PAPER IS NOT REQUIRED FOR TRANSPORTATION OF A DRUM FOR RECONDITIONING VIA CONTRACT OR PRIVATE MOTOR CARRIER. DOT PLACARDING IS NOT REQUIRED FOR VEHICLES CARRYING EMPTY CONTAINERS.

ALL DRUMS MUST BE SHIPPED LOOSE (NOT PALLETIZED) UNLESS OTHERWISE AUTHORIZED BY MANAGEMENT, AND STACKED RIGHT SIDE UP WITH LIDS, RINGS AND PLUGS SECURELY FASTENED. NON-EMPTY CONTAINERS OR CONTAINERS NOT PROPERLY PREPARED FOR TRANSPORTATION MAY BE REFUSED AND RETURNED AT CUSTOMER'S EXPENSE.