

To: S. R. Ashby

From: R. Bryan
Date: October 22, 1984

Subject: DRUM DISPOSAL POLICY

Interoffice
Communication

VISTA

Mike Hayes and myself have reviewed the hazardous waste regulations regarding disposal of empty drums. If the drum is empty before disposal, it is considered a solid waste and not a hazardous waste even if it had contained hazardous wastes before. A drum is considered "empty" if 1) all wastes have been removed that can be removed using normal practices for that type container eg., pouring, pumping, etc. and no more than one inch of residue remains on the drum bottom or 2) if the container has been triple rinsed using a suitable solvent. With these provisions, all of the chemical drums on your attached note are solid wastes if they are empty by the above definitions. Proper disposal is crushing the drums and placing them in the solid waste dumpster for external contract disposal.

There is one exception to the above rule. If a drum contains one of the chemicals listed under section (e) on the attached list, it is considered hazardous waste until triple rinsed. Thus, merely being empty does not exclude those drums from the hazardous waste regulations. In looking at the list, I'm not aware that the VCM Plant handles or produces any of the chemicals.

Regarding the giving of drums to employees, we must keep in mind that Vista could be held liable for safety and environmental problems that could arise. For example, if a drum contained less than one inch of an oily residue (and therefore is "empty") and if the residue were released to a stream by an employee, Vista could be liable for an oil spill. This possibility along with possible employee exposure does exist. Thus, for better prevention of liabilities, we should either (1) not give drums to employees (current policy at LCCP) or 2) give only drums that held the most innocuous materials and that have been thoroughly rinsed.


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in quantities greater than set forth in paragraphs (e)(1) or (e)(2) of this section, all of those accumulated wastes for

the accumulation limit was exceeded are subject to regulation under Parts 262 through 265 and Parts 122 and 124 of this chapter, and the notification requirements of Section 3010 of RCRA. The time period of § 262.34 for accumulation of wastes on-site begins for a small quantity generator when the accumulated wastes exceed the applicable exclusion level.

(g) In order for hazardous waste generated by a small quantity generator to be excluded from full regulation under this section, the generator must:

(1) Comply with § 262.11 of this chapter;

(2) If he stores his hazardous waste on-site, store it in compliance with the requirements of paragraph (f) of this section; and

(3) Either treat or dispose of his hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment or disposal facility, either of which is:

(i) Permitted under Part 122 of this chapter;

(ii) In interim status under Parts 122 and 265 of this chapter;

(iii) Authorized to manage hazardous waste by a State with a hazardous waste management program approved under part 123 of this chapter;

(iv) Permitted, licensed or registered by a State to manage municipal or industrial solid waste; or

(v) A facility which:

(A) Beneficially uses or re-uses, or legitimately recycles or reclaims his waste; or

(B) Treats his waste prior to beneficial use or re-use, or legitimate recycling or reclamation.

(h) Hazardous waste subject to the reduced requirements of this section may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this section, unless the mixture meets any of the characteristics of hazardous wastes identified in Subpart C.

(i) If a small quantity generator mixes solid waste with a hazardous waste that exceeds a quantity exclusion level of this section, the mixture is subject to full regulation.

§ 261.6 Special requirements for hazardous waste which is used, re-used, recycled or reclaimed.

(a) Except as otherwise provided in paragraph (b) of this section, a hazardous waste which meets either of the following criteria is not subject to regulation under Parts 262 through 265 or Parts 122 through 124 of this Chapter and is not subject to the notification requirements of Section 3010 of RCRA until such time as the Administrator promulgates regulations to the contrary:

(1) It is being beneficially used or re-used or legitimately recycled or reclaimed.

(2) It is being accumulated, stored or physically, chemically or biologically treated prior to beneficial use or re-use or legitimate recycling or reclamation.

(b) A hazardous waste which is a sludge, or which is listed in Subpart D, or which contains one or more hazardous wastes listed in Subpart D; and which is transported or stored prior to being used, re-used, recycled or reclaimed is subject to the following requirements with respect to such transportation or storage:

(1) Notification requirements under Section 3010 RCRA.

(2) Part 262 of this Chapter.

(3) Part 263 of this Chapter.

(4) Subparts A, B, C, D and E of Part 264 of this Chapter.

(5) Subparts A, B, C, D, E, G, H, I, J and L of Part 265 of this Chapter.

(6) Parts 122 and 124 of this Chapter, with respect to storage facilities.

§ 261.7 Residues of hazardous waste in empty containers.

[261.7 added by 45 FR 78529, November 25, 1980]

(a)(1) Any hazardous waste remaining in either (i) an empty container or (ii) an inner liner removed from an empty container, as defined in paragraph (b) of this section, is not subject to regulation under Parts 261 through 265, or Part 122 or 124 of this chapter or to the notification requirements of Section 3010 of RCRA.

(2) Any hazardous waste in either (i) a container that is not empty or (ii) an inner liner removed from a container that is not empty, as defined in paragraph (b) of this section, is subject to regulation under Parts 261 through 265, and Parts 122 and 124 of this

chapter and to the notification requirements of Section 3010 of RCRA.

(b)(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 in § 261.33(c) of this chapter, is empty if:

(i) 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

(ii) no more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner.

(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 a hazardous waste identified in § 261.33(c) of this chapter is empty if:

(i) the container or inner liner has been triple rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate;

(ii) 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; or

(iii) 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.

Subpart B—Criteria for Identifying the Characteristics of Hazardous Waste and for Listing Hazardous Waste

§ 261.10 Criteria for identifying the characteristics of hazardous waste.

(a) The Administrator shall identify and define a characteristic of hazardous waste in Subpart C only upon determining that:

(1) A solid waste that exhibits the characteristic may:

(i) Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

(ii) Pose a substantial present or potential hazard to human health or the

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Hazardous waste No.	Substance
P014.....	Thiophenol
P118.....	Thiosemicarbazide
P026.....	Thiourea, (2-chlorophenyl)-
P072.....	Thiourea, 1-naphthyl-
P093.....	Thiourea, phenyl-
P123.....	Toxaphene
P118.....	Trichloromethanethiol
P119.....	Vanadic acid, ammonium salt
P120.....	Vanadium pentoxide
P120.....	Vanadium(V) oxide
P001.....	Warfarin
P121.....	Zinc cyanide
P122.....	Zinc phosphide (R,T)

(f) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products referred to in paragraphs (a) through (d) of this section, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in § 261.5 (a) and (f).

[Comment: For the convenience of the regulated community, the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability) and C (Corrosivity). Absence of a letter indicates that the compound is only listed for toxicity.] These wastes and their corresponding EPA Hazardous Waste Numbers are:

[261.33(f) amended by 46 FR 27476, May 20, 1981]

Hazardous Waste No.	Substance
U001.....	Acetaldehyde (I)
U034.....	Acetaldehyde, trichloro-
U187.....	Acetamide, N-(4-ethoxyphenyl)-
U005.....	Acetamide, N-(4-fluorophenyl)-
U112.....	Acetic acid, ethyl ester (I)
U144.....	Acetic acid, lead salt
U214.....	Acetic acid, thallium(I) salt
U002.....	Acetone (I)
U003.....	Acetonitrile (I,T)
U004.....	Acetophenone
U005.....	2-Acetylaminofluorene
U006.....	Acetyl chloride (C,R,T)
U007.....	Acrylamide
U008.....	Acrylic acid (I)
U009.....	Acrylonitrile
U150.....	Alanine, 3-[p-bis(2-chloroethyl)amino]-, phenyl-, L-
U011.....	Amivocle
U012.....	Aniline (I,T)
U014.....	Auramine
U015.....	Azaserine
U010.....	Aztrino(2',3':3',4')pyrrolo[1,2-a]indole-4,7-dione, 6-amino-8-[[[amino-carbonyl]oxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-,
U157.....	Benz[1]aceanthrylene, 1,2-dihydro-3-methyl-,
U016.....	Benz[1]acanthrylene, 1,2-dihydro-3-methyl-,
U016.....	Benz[1]acanthrylene, 1,2-dihydro-3-methyl-,
U017.....	Benzal chloride
U018.....	Benz[a]anthracene
U018.....	1,2-Benzanthracene
U094.....	1,2-Benzanthracene, 7,12-dimethyl-,
U012.....	Benzenamine (I,T)
U014.....	Benzenamine, 4,4'-carbonimidoylbis(N,N-dimethyl-,

Hazardous waste No.	Substance
U049.....	Benzenamine, 4-chloro-2-methyl-,
U093.....	Benzenamine, N,N'-dimethyl-4-naphthylazo-,
U158.....	Benzenamine, 4,4'-methylenebis(2-chloro-,
U222.....	Benzenamine, 2-methyl-, hydrochloride
U181.....	Benzenamine, 2-methyl-5-nitro
U019.....	Benzene (I,T)
U038.....	Benzeneacetic acid, 4-chloro- α -(4-chlorophenyl)- α -hydroxy, ethyl ester
U030.....	Benzene, 1-bromo-4-phenoxy-,
U037.....	Benzene, chloro-
U190.....	1,2-Benzenedicarboxylic acid anhydride
U028.....	1,2-Benzenedicarboxylic acid, bis(2-ethyl-hexyl) ester
U089.....	1,2-Benzenedicarboxylic acid, dibutyl ester
U088.....	1,2-Benzenedicarboxylic acid, diethyl ester
U102.....	1,2-Benzenedicarboxylic acid, dimethyl ester
U107.....	1,2-Benzenedicarboxylic acid, di-n-octyl ester
U070.....	Benzene, 1,2-dichloro-
U071.....	Benzene, 1,3-dichloro-
U072.....	Benzene, 1,4-dichloro-
U017.....	Benzene, (dichloromethyl)-
U223.....	Benzene, 1,3-dicyanatomethyl-, (R,T)
U239.....	Benzene, dimethyl-(I,T)
U201.....	1,3-Benzenediol
U127.....	Benzene, hexachloro-
U056.....	Benzene, hexahydro-, (I)
U188.....	Benzene, hydroxy-
U220.....	Benzene, methyl-,
U105.....	Benzene, 1-methyl-1,2,4-dinitro-
U106.....	Benzene, 1-methyl-2,6-dinitro-
U203.....	Benzene, 1,2-methylenedioxy-4-allyl-
U141.....	Benzene, 1,2-methylenedioxy-4-propenyl-
U080.....	Benzene, 1,2-methylenedioxy-4-propyl-
U085.....	Benzene, (1-methyl-2-ethyl)- (I)
U189.....	Benzene, nitro-, (I,T)
U183.....	Benzene, pentachloro-
U185.....	Benzene, pentachloro-nitro-
U020.....	Benzenesulfonic acid chloride (C,R)
U020.....	Benzenesulfonoyl chloride (C,R)
U207.....	Benzene, 1,2,4,5-tetrachloro-
U023.....	Benzene, (trichloromethyl)-(C,R,T)
U234.....	Benzene, 1,3,5-trinitro-, (R,T)
U021.....	Benzidine
U202.....	1,2-Benzisothiazolin-3-one, 1,1-dioxide
U120.....	Benzol[1,1]fluorene
U022.....	Benzotripyrene
U022.....	3,4-Benzopyrene
U197.....	p-Benzocoumarone
U023.....	Benzotrifluoride (C,R,T)
U050.....	1,2-Benzophenanthrene
U085.....	2,2'-Bioxirane (I,T)
U021.....	(1,1'-Biphenyl)-4,4'-diamine
U073.....	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dichloro-
U081.....	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethoxy-
U095.....	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethyl-
U024.....	Bis(2-chloroethoxy) methane
U027.....	Bis(2-chloroisopropyl) ether
U244.....	Bis(dimethylthiocarbamoyl) disulfide
U026.....	Bis(2-ethylthio) phthalate
U246.....	Bromine cyanide
U225.....	Bromoforn
U030.....	4-Bromophenyl phenyl ether
U128.....	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172.....	1-Butanamine, N-butyl-N-nitroso-
U035.....	Butanoic acid, 4-[(bis(2-chloroethyl)amino)]-benzene-
U031.....	1-Butanol (I)
U159.....	2-Butanone (I,T)
U160.....	2-Butanone peroxide (R,T)
U053.....	2-Butene
U074.....	2-Butene, 1,4-dichloro-, (I,T)
U031.....	n-Butyl alcohol (I)
U196.....	Carbocyclic acid
U032.....	Calcium chromate
U238.....	Carbamic acid, ethyl ester
U178.....	Carbamic acid, methylthio-, ethyl ester
U178.....	Carbamide, N-ethyl-N-nitroso-
U177.....	Carbamide, N-methyl-N-nitroso-
U219.....	Carbamide, tris-
U087.....	Carbamoyl chloride, dimethyl-,
U215.....	Carbonic acid, diethanol(I) salt
U158.....	Carbonochloric acid, methyl ester (I,T)

Hazardous waste No.	Substance
U033.....	Carbon oxyfluoride (R,T)
U211.....	Carbon tetrachloride
U033.....	Carbonyl fluoride (R,T)
U034.....	Chloral
U035.....	Chlorambucil
U036.....	Chlorane, technical
U026.....	Chloraphazine
U037.....	Chlorobenzene
U039.....	4-Chloro-m-cresol
U041.....	1-Chloro-2,3-epoxypropene
U042.....	2-Chloroethyl vinyl ether
U044.....	Chloroform
U046.....	Chloromethyl methyl ether
U047.....	beta-Chloronaphthalene
U048.....	o-Chlorophenol
U049.....	4-Chloro-o-toluidine, hydrochloride
U032.....	Chromic acid, calcium salt
U050.....	Chrysene
U051.....	Creosote
U052.....	Cresole
U052.....	Cresylic acid
U053.....	Crotonaldehyde
U055.....	Cumene (I)
U248.....	Cyanogen bromide
U197.....	1,4-Cyclohexadienedione
U056.....	Cyclohexane (I)
U057.....	Cyclohexanone (I)
U130.....	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
U058.....	Cyclophosphamide
U240.....	2,4,4-D, salts and esters
U059.....	Daunomycin
U080.....	DDO
U081.....	DDT
U142.....	Decachlorooctahydro-1,3,4-methano-2H-cyclobuta[c,d]pentalen-2-one
U082.....	Diallate
U133.....	Dibamine (R,T)
U221.....	Diaminotoluene
U063.....	Dibenz[a,h]anthracene
U065.....	1,2,5,8-Dibenzanthracene
U064.....	1,2,7,8-Dibenzopyrene
U064.....	Dibenz[a,l]pyrene
U086.....	1,2-Dibromo-3-chloropropane
U069.....	Dibutyl phthalate
U062.....	3-(2,2-Dichloroethyl) diisopropylthiocarbamate
U070.....	o-Dichlorobenzene
U071.....	m-Dichlorobenzene
U072.....	p-Dichlorobenzene
U073.....	3,3'-Dichlorobenzidine
U074.....	1,4-Dichloro-2-butene (I,T)
U075.....	Dichlorodifluoromethane
U192.....	3,5-Dichloro-N-(1,1-dimethyl-2-propynyl) benzamide
U089.....	Dichloro diphenyl dichloroethane
U081.....	Dichloro diphenyl trichloroethane
U078.....	1,1-Dichloroethylene
U079.....	1,2-Dichloroethylene
U025.....	Dichloroethyl ether
U081.....	2,4-Dichlorophenol
U082.....	2,6-Dichlorophenol
U240.....	2,4-Dichlorophenoxyacetic acid, salts and esters
U083.....	1,2-Dichloropropane
U084.....	1,3-Dichloropropane
U085.....	1,2,3,4-Diepoxybutane (I,T)
U108.....	1,4-Diethylene dioxide
U086.....	N,N-Diethylhydrazine
U067.....	O,O-Diethyl-S-methyl-dithiophosphate
U066.....	Diethyl phthalate
U089.....	Diethylstilbestrol
U148.....	1,2-Dihydro-3,5-pyridinedione
U090.....	Dihydroresorcinol
U091.....	3,3'-Dimethoxybenzidine
U092.....	Dimethylamine (I)
U093.....	Dimethylaminoazobenzene
U084.....	7,12-Dimethylbenz[a]anthracene
U085.....	3,3'-Dimethylbenzidine
U096.....	alpha,alpha-Dimethylbenzylhydroperoxide (R)
U097.....	Dimethylcarbamoyl chloride
U098.....	1,1-Dimethylhydrazine
U099.....	1,2-Dimethylhydrazine
U101.....	2,4-Dimethylphenol
U102.....	Dimethyl phthalate

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[Sec. 261.33(f)]