



Mississippi Department of Environmental Quality  
Fact Sheet on  
**Managing Empty Containers**

Businesses and industries often manage products and materials that have hazardous contents, which if discarded could be considered hazardous wastes. These contents are packaged in various types of containers which may pose a disposal concern once the contents have been used. A container would include any portable device in which a material is stored, transported, treated, disposed of or otherwise handled. Any such container may be disposed of or recycled as a nonhazardous waste or recyclable material if the container or inner liner, which once held the hazardous content, is considered empty under Federal and State Hazardous Waste Regulations. The regulatory definition of a "RCRA empty" container that once held hazardous content is found in [40 CFR §261.7 -Empty Container](#). Under this definition, the container is considered empty if:

- All hazardous content has been removed that can be removed using commonly employed practices (such as pouring, pumping or aspirating) from that type of container, AND
- No more than 1 inch (2.5 centimeters) of residue remains on the bottom of the container or liner, OR
- No more than 3 percent by weight of the total capacity of the container remains if the container is less than or equal to 119 gallons in size, OR
- No more than 0.3 percent by weight of the total capacity of the container remains if the container is greater than 119 gallons in size.
- A container that held a hazardous compressed gas is empty when the pressure in the container reaches atmospheric pressure.

A container or an inner liner removed from a container that has held content that could be an acute hazardous waste (as listed in [40 CFR§261.31](#) or [40 CFR§261.33\(e\)](#)) is considered empty if:

- The container or inner liner has been triple-rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate. However, be advised that the rinsate from triple-rinsing the container or inner liner, that held the acute hazardous listed waste, remains an acute hazardous listed waste and is fully regulated; OR
- 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
- 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.

Once a container is considered "RCRA empty" under the requirements described above, the container can be managed and disposed or recycled as a nonhazardous solid waste. Where possible, MDEQ encourages businesses to recycle the empty containers through a legitimate recycling company or service. Where recycling is not an option, a business may dispose of the empty containers through a solid waste collection company at a permitted municipal solid waste landfill. In no case should these containers be indiscriminately dumped, openly burned, or disposed at a landfill not permitted to accept the containers.

Containers that do not meet the empty container definition due to the amount of remaining contents or other condition of the container must be generally managed as hazardous wastes under the State and Federal Hazardous Waste Management Regulations. These containers should not be managed as nonhazardous wastes for disposal or recycling purposes.

For more information on MDEQ's Guidance for Managing Empty Containers please contact the Solid Waste Management Programs at MDEQ by phone at 601-961-5171 or by mail at P.O. Box 2261, Jackson, MS 39225.

