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## **EPA Empty Drum Criteria and Certification Form**

Provided here is a model form for certifying containers (e.g., drums and IBCs) as empty by U.S. EPA criteria. (Thus, the containers are not a hazardous waste). The form also certifies that the containers are prepared for shipment according to U.S. DOT regulations. Reconditioners should request and maintain signed and dated certifications as part of a recommended Code of Operating Practices.

(Your Letterhead)

## **Empty Container Certification**

I hereby certify that these containers are “empty” as defined by regulations of the U.S. Environmental Protection Agency. All material has been removed that *can* be removed using common practices appropriate to the particular contents and type of container (e.g. “drip dry”)¹. In addition, under the rules of the U.S. Department of Transportation, all openings on the empty containers are closed and all required marks and labels are in place as if the containers were carrying their full original contents.²

Date: \_\_\_\_\_ Name: \_\_\_\_\_

Company: \_\_\_\_\_

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¹ EPA’s regulations (40 CFR 261.7(b)) generally state that a container is empty if:

All material has been removed that *can* be removed using practices commonly employed to remove materials from that type of container, (e.g., pouring, pumping, and aspirating), **and** (for viscous materials):

No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, **or**

For containers less than or equal to 110 gallons, no more than 3 percent by weight of the total capacity of the container remains; for containers greater than 110 gallons capacity no more than 0.3 percent by weight remains.

Up to one inch of material may remain in an empty container only if it *cannot be removed* by normal means.

Also, containers that carried material identified by EPA as acutely toxic hazardous waste (e.g., many pesticide residues) must be triple-rinsed using a “solvent capable of removing the product” or be cleaned by another method shown to “achieve equivalent removal.”

² DOT’s regulations on emptied hazardous materials containers are published in 49 CFR 173.29.