



**CONTAINER COMPLIANCE CORPORATION
NOTIFICATION AND DISCLOSURE STATEMENT**

CUSTOMER: _____

ADDRESS: _____

CITY: _____
STATE ZIP

NUMBER OF DRUMS: _____ CUSTOMER LOAD & COUNT (Y/N): _____

THE CUSTOMER, BY AND THROUGH IT'S DULY AUTHORIZED OFFICER, EMPLOYEE OR AGENT, AS PART OF THE CONSIDERATION FOR CONTAINER COMPLIANCE CORPORATION ACCEPTING ITS' DRUMS ACKNOWLEDGES AND DISCLOSES THE FOLLOWING:

- 1). ALL CLOSED HEAD DRUMS WILL HAVE ALL CLOSURES IN PLACE AND TIGHT. ALL EMPTY OPEN HEAD DRUMS WILL BE RETURNED AS IF FULL, COVER AND RING IN PLACE AND TIGHTENED, ALL CLOSURES IN PLACE AND TIGHT, AND COMPLY TOTALLY WITH THE U.S. DEPT. OF TRANSPORTATION 49 CFR 173.29.*
- 2). ALL DRUMS ARE "EMPTY" AS THAT TERM IS DEFINED IN THE NATIONAL ENVIRONMENTAL PROTECTION AGENCY REGULATION, 40 CFR 261.7**, AND HAVE NOT CONTAINED "ACUTELY HAZARDOUS WASTE" AS LISTED IN 40 CFR 261.33(e)***, AND THAT ALL "RQ" MARKINGS APPLY ONLY TO THE ORIGINAL FILLED CONTAINER AND NOT TO THESE EMPTY CONTAINERS AS DEFINED IN 40 CFR 261.7.
- 3). CUSTOMER HEREBY AUTHORIZES CONTAINER COMPLIANCE CORPORATION TO ACT AS ITS AGENT, WHERE APPLICABLE, WITH RESPECT TO THE RETURN OF DRUMS NOT MEETING THE REQUIREMENTS OF "EMPTY" AS DEFINED IN 40 CFR 261.7 AND AGREES TO PAY ALL REASONABLE FEES AS MAY BE ASSOCIATED WITH THE RETURN OF "HEAVY" DRUMS.

* DOT'S 49 CFR 173.29 SAYS THAT ALL OPENINGS ON THE EMPTY CONTAINER MUST BE CLOSED, AND THAT ALL MARKINGS 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.

** WITH REGARDS TO THE TERM "EMPTY", EPA'S 40 CFR 261.7 SAYS:
"A CONTAINER 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 3% BY WEIGHT OF TOTAL CONTAINER..."

THE 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 EXTREMELY VISCOUS MATERIALS THAT WILL REMAIN IN THE CONTAINER EVEN AFTER THE CONTAINER IS EMPTIED BY NORMAL MEANS."

*** FOR RESIDUES OF PRODUCTS SPECIFICALLY LISTED BY NAME IN 40 CFR 261.33(e), EPA SAYS THE CONTAINER IS EMTPY 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.

WITNESS: _____ BY: _____

CCC DRIVER: _____ TITLE: _____

TRAILER NO.: _____ DATE: _____

MEMBER **RIPA**