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CONTAINERS CLEANING OTHER THAN TRIPLE RINSING-PAPER BAGS

Mr. Stanley L. Johnson  
Division of Licensing and Enforcement  
Department of Environmental Protection  
State House Station 17  
Augusta, Maine 04333

Dear Mr. Johnson:

Alan Corson asked me to respond to your letter dated April 10, 1985, because we previously collaborated on the paper bag issue. Section 261.33(c) considers a container that held a hazardous waste listed in §261.33(e) (P-listed waste) to be hazardous waste until the bag is empty as defined in §261.7(b)(3). Section 261.7(b)(3)(i) involves triple rinsing with an appropriate solvent, (ii) allows cleaning "by another method that has been shown in the scientific literature, or by tests conducted by the generator, to achieve equivalent removal," and (iii) declares that a container is empty if the liner is removed. Your question was how can paper bags meet these criteria? The answer is that beating the bags after emptying can be an alternative to triple rinsing, as the RCRA/Superfund Hotline explained.

The Office of Solid Waste had no written policy until this letter, but "bag beating" has been an acceptable alternative to triple rinsing on an oral basis probably since 1981. There are, however, no references in the literature that compare the removal efficiency of repeated tapping of the outside of an inverted paper bag vs. triple rinsing that the regulations seem to require.

Ray Krueger, of the Office of Pesticide Programs, EPA, said that repeated tapping with a stick is an effective removal mechanism, though OPP has no written policy saying so. He expressed concern about the worker exposure, and he suggested an alternative, explained on the enclosed copy of PR notice #83-3, issued March 29, 1983, by OPP, that cites open burning as a possible disposal method, subject to Federal, State, and

local approval. The pesticide program has data that indicates that such open burning leaves little residue in the soil, because the thermal treatment break down the chemicals. In terms of RCRA, the November 25, 1980, (45 FR 78528) preamble says: "Forms of container cleaning other than triple rinsing may constitute treatment...the burning operation is designed to remove and destroy the wastes...These processes meet the RCRA definition of 'treatment' and are thus subject to the requirements of Part 264 and 265." Unless the generator met the small quantity generator requirements, generating less than one kilogram of P-listed wastes in the given calendar month, burning the bags would be subject to RCRA treatment standards.

I hope this letter answers your question for emptying paper bags. If you have any questions, please feel free to contact me at (202) 382-2550.

Sincerely yours,

Irene S. Horner  
Environmental Protection Specialist  
Studies and Methods Branch (WH-562B)

Enclosure

cc: Alan S. Corson  
RCRA/Superfund Hotline