

EMPTY DRUM CERTIFICATION

The following is the Empty Drum Certification policy of Mid-America Steel Drum Co., Inc.:

(to be completed and signed by driver and customer)

EMPTY DRUM CERTIFICATION

I hereby certify that these drums are “empty” as the term is defined in the national Environmental Protection Agency regulations, 40 CFR 261.7*, and that they have been properly prepared for transportation under the regulations of the U.S. Department of Transportation, 49 CFR 173.29.**

* With regard to most regulated residues, 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...”

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 cannot be removed by normal means. The rationale for this provision is that there are certain tars and other 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 empty only “if the container...has been tripled-rinsed using a solvent capable of removing” the product, or has been cleaned by another method shown to achieve equivalent removal.

** DOT’s 40 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.

CUSTOMER SIGNATURE _____

DRIVER SIGNATURE _____

TRAILER NO. _____