**EMPTY CONTAINER DECISION TREE**

Chemically contaminated laboratory waste is considered hazardous waste if the chemical(s) has certain EPA characteristics or is EPA listed (see the Chemically Contaminated Laboratory Waste Management fact sheet for definitions). The decision tree on the following page is a guide to help laboratories understand when empty containers can be disposed of as regular trash, reused, or disposed of as hazardous waste. To properly use the Empty Container Decision Tree, the container must be empty in accordance with regulations as outlined below.

**According to** [**40 CFR 261.7b**](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-261#261.7)**, “empty container” means**:

1. A container or an inner liner removed from a container that has held any hazardous waste, except a waste that is a compressed gas or that is identified as an acute hazardous waste listed in §§ 261.31 or 261.33(e) is empty if:
	1. 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**
	2. No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, **or**
	3. No more than 3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size; **or**
	4. No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size.

**EMPTY CONTAINER DECISION TREE**

**YES**

**NO**

**YES**

**NO**

**OR**

**NO**

**YES**

**YES**

**NO**

Will rinsing the container remove the hazardous chemical and is it safe to rinse the container (e.g., not a water reactive chemical)?

Did the container previously hold a radioactive material?

Follow [radioactive waste](https://research.wayne.edu/oehs/hazardous/radioactive-waste) disposal procedures for radioactive or mixed radioactive waste.

Did the container hold a chemical that is P- or U-listed?

**NO**

Container is not regulated. Dispose of in regular trash or, if glass, in a broken glass box.

Do you intend to reuse the container in the future to hold compatible waste?

Cross out the original label. When first add waste to the container, attach a completed waste tag.

**YES**

Triple rinse the container with a compatible solvent and manage the rinsate as a hazardous waste. Remove the cap/ lid, remove or deface the label, and place the container in a cardboard box which, when full, can be sealed shut and disposed of as trash.

Place empty container into a hazardous solid waste container. Ensure the waste tag includes the container’s former chemical contents.

**OR if container is larger than the 5-gallon waste pail…**

Attach a completed waste tag to the empty container.

The Accumulation Date = the date the container was emptied.

The Chemical Name = the chemical composition of the container’s former contents (full name, written in English).

Submit a Chemical Waste Pick-Up Request on OEHS website.

Did the container hold a chemical that is Ignitable, Corrosive, Reactive, and/or Toxic?