

## EMPTY CONTAINER DECISION TREE

Chemically contaminated waste is considered hazardous waste if the chemical(s) has certain EPA characteristics or is EPA listed (see the Chemically Contaminated Waste Management fact sheet for definitions). The decision tree on the following page is a guide to help WSU personnel 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](#), “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:
  - a. 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**
  - b. No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, **or**
  - c. 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**
  - d. 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.

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