

QUESTION: Are 55 gallon drums that are found flattened and “empty” at a Superfund removal site regulated under RCRA?

ANSWER: There is no way to determine if drums have been fully emptied per Section 261.7 (b) (1) (i). According to Section 261.7 (b) (1) (iii) (A), for a drum to be considered empty and non-regulated by RCRA, there must be no more than 3 percent difference in weight between that drum and a comparable empty drum.

SOURCE: Alan Corson