

PPC 9482.1986(01)

CONTAINERS STORING HAZARDOUS WASTE, REQUIREMENTS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JAN 21 1986

Mr. Joseph J. Donahue, President
Connelly Containers, Inc.
Bala-Cynwyd, Pennsylvania 19004

Dear Mr. Donahue:

At the request of Mr. Irvin A. Lavine of Mason, Fenwick and Lawrence law offices, I am writing to you to explain the role of the Environmental Protection Agency (EPA) with regard to approving containers for the storage of hazardous waste, particularly with respect to the design of such. EPA promulgated interim status and permitting standards for the storage of hazardous waste in containers on May 19, 1980, and January 12, 1981, respectively. A copy of these standards is enclosed.

These standards are simply performance standards that require containers used to store hazardous waste not to leak and to be compatible with the hazardous waste stored. In the process of developing these regulations, EPA considered promulgating design standards for containers. Since most containers storing hazardous wastes are ultimately slated for transfer to a disposal or treatment facility (e.g., landfill, incinerator), however, it is most cost effective for the generator to store his hazardous waste in the same container in which it will be transported.

EPA has concluded that containers that meet Department of Transportation (DOT) standards for the transportation of containerized materials (49 CFR Part 173) are also acceptable from an environmental protection perspective.

As part of the permit application, the owner or operator must indicate that the container he plans to use will be compatible with the waste to be stored, as required in §264.172. If compliance with this and the other Subtitle C requirements is demonstrated, EPA can then approve the permit to store hazardous waste in containers.

-2-

To confirm the point made in your letter, a manufacturer of containers cannot apply for a storage permit in lieu of the actual owner or operator of the facility seeking the permit. It would, however, be advisable that the owner or operator obtain confirmation from the container manufacturer that the containers being purchased will be compatible with the waste to be stored.

I hope that we have satisfactorily addressed your concern. If you should have any questions, please feel free to call Bill Kline of my staff at (202) 382-3081.

Sincerely,

John P. Lehman
Director
Waste Management and
Economics Division

Enclosures