

Loading

Our drivers will stack and load drums in their trailers. Our offer to pickup drums is based on suppliers placing the drums “on the tailgate.” In cases where a trailer is “dropped” at a supplier’s plant, all loading will be done by the supplier’s personnel.

Direct Agreement

Our agreement to pickup drums is based on direct agreement with the company or party who has emptied the drums. We cannot accept drums from third parties because there is no practical way they can guarantee compliance with all provisions of our *Drum Acceptance Policy*. Accordingly, should you elect to ship the drums by means of common carrier or by your truck, freight prepaid, all documents must be in the name of the drum emptier.

Plant Review

Our Company not only welcomes but encourages a plant review inspection by drum emptiers sending us their empty drums. The reality of today’s strict environmental regulation demands that all producers of secondary materials ensure that these products are handled and disposed of in compliance with all current laws and rules. Please contact us to schedule a plant inspection; we cannot accommodate “drop-in” visits. You may want to review the **RCM** pamphlet “**ENVIRONMENTAL COMPLIANCES** - Suggested plant review guide for drum emptiers.”



Dear Drum User:

Current environmental laws and regulations govern the practices followed in the disposition of used, empty, steel or plastic drums. Under the Resource Recovery and Conservation Act and the Comprehensive Environmental Response, Compensation and Liability Act, empty drums must be carefully managed by both drum users and recyclers.

Our Company strongly endorses the **RESPONSIBLE CONTAINER MANAGEMENT (RCM)** program of the Reusable Industrial Packaging Association. A packet of brochures describing the program is available upon your request.

To ensure that all necessary measures are followed, we have prepared this *Drum Acceptance Policy*. We trust you will understand why we must follow these policies without exception. Please note that in some cases we **pay** for drums picked up; in others we must **charge**. Please feel free to call us if any pricing information may be needed.

You should also note that there may be steps you can take to maximize your revenue (or minimize your costs). The most important is to specify, for products you receive, drums manufactured to at least the minimum thicknesses allowed by the U.S. Department of Transportation for reuse with regulated materials, and marked according to DOT regulations for those thicknesses. For drums made from a single thickness of steel, this means a nominal 1.0 mm thickness marking; for “20/18” style drums, it is a 1.2 — 0.9 — 1.2 mm marking.

Note that disposition of junk drums is costly – caution your personnel to handle drums carefully to minimize damage. (Junk drums must still be processed and cleaned before they can be recycled as scrap steel or plastic.)

When changes occur in the regulations, we will make every effort to keep you informed. Thank you for choosing Industrial Container Services – the environmentally responsible container service company.

Very truly yours,

1/06 Edition

Industrial Container Services

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Drum Acceptance Policy

The following presents the policies covering the pickup, transportation, purchase of or charges for, used empty steel and plastic drums accepted by us.

These policies reflect the current status of applicable regulations published by the U.S. Department of Transportation (DOT), the Environmental Protection Agency (EPA), and corresponding state and local agencies.

Drums Must Be Empty

We will accept no drums that are not empty. We understand that some minor residue of the drum's prior contents will remain after normal emptying. In all states, except California, how much residue is acceptable is decided by EPA's definition of an "empty" container (40 CFR 261.7). This regulation says: first, that the drum is as empty as it can be gotten using "...the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping. . ."; but second, that in *no event* may there be more than one inch (or 3 percent by weight) of residue left in the drum.

Note that different types of products require different degrees of emptying (solvents vs. paints, for example). Note also that the "one inch" rule applies only as an outside limit; **IT DOES NOT AUTHORIZE ALL DRUMS TO HAVE ONE INCH OF RESIDUE.** The first part of the regulation must be met: the drums must be as empty as they can be gotten using normal emptying methods. With all but a very few products (like tars, etc.), this will result in far less than one inch of residue. As a practical matter, the rule means that if an opened drum is turned over, only a few drops of product will come out. The drum should be "*drip dry.*"

The State of California has implemented a more restrictive definition of an "empty" container than the EPA rule. For details of the California requirements, please call our Western region headquarters at (800) 273-3786, ext.100.

A full copy of the EPA empty drum regulation may be found in the **RCM** pamphlet "**DISPOSITION.**" EPA's discussion of the correct interpretation of this rule is published in the August 18, 1982 Federal Register (Vol. 47; p .36093). Please note that arrangements to pickup any drum discovered at our plant not meeting these requirements must be made by you upon our notification.

Drums Must Not Have Contained "Acutely Hazardous Chemicals"

The EPA has published – at 40 CFR 261.33(e) – a list of chemicals whose residues are considered to be "acutely hazardous." A copy of the list is available upon request.

We will pick up drums containing any of the products on EPA's 261.33(e) list only by special arrangements. Drums must be "triple rinsed" by the emptier in accordance with 40 CFR 261.7(b)(3) and a special certification to that fact completed. Contact our office for information.

Drums Must be Properly Prepared for Transportation

The DOT requires that an uncleaned empty drum must be shipped:

a) with "all openings including removable heads and filling and vent holes tightly closed..."; and

b) with the original label (describing the drum residue) legibly in place (49 CFR 173.29(a)).

Our drivers carry extra drum plugs on their trucks and will replace plugs, if necessary,

to enable pickup. There may be a charge for replacement closures.

The label must accurately describe the drum residue. If any different materials have been placed in the drum, a new label must be prepared or this information supplied to us in some other reliable manner.

No hazardous material may remain on the outside of the drum (49 CFR 173.24a (b) (5). If such material cannot be removed, the drum must be over packed.

There is no *DOT placarding requirement* for vehicles transporting empty drums (49CFR173.29(a)(3)(i)). Also, empty drums picked up by our trucks (or delivered by your trucks or contract carriers to our plant) are *exempt from the DOT shipping paper requirement*, because such drums are "collected and transported for...reconditioning and reuse" (49CFR173.29(a)(3)(ii)).

Certification of These Requirements by Shipper

We can pick up drums only after the shipper (on every load) certifies compliance with the above requirements. The importance of this certification is described in the **RCM** pamphlet: "**EMPTY DRUM CERTIFICATION.**" This certification appears on our drum Receiving Tickets (a copy of which - signed also by our driver - is left with you after pickup).

MSDS Availability

In order to protect our employees and equipment, we must be aware of the hazards of any residual materials in these drums. All of our plants subscribe to an electronic MSDS subscription service, and normally we obtain any needed material safety data in this manner. Accordingly, it is not necessary to send a MSDS with shipments of your used, empty drums, unless we specifically request one.

"RQ" Marking Presumption

We presume that all "RQ" (reportable quantity) markings on empty drums refer to the filled drum when it was originally shipped full of product. Accordingly, we also presume "RQ" markings do not refer to the empty drum and its residues. However because some materials have an "RQ" quantity of *ONE POUND*, drum emptiers are cautioned:

a) to be sure all drums are fully, legally emptied:

b) to ensure — if an "RQ" marking *is* applicable to the residue in a legally emptied drum — that the proper DOT shipping papers are completed and sent with the shipment. (Note that this requirement *overrides* the usual shipping paper exemption for empty drums consigned for reconditioning described above.)

Inspection

Drums are inspected at our receiving yard. Drums vary considerably in their reuse value due to many factors. Some major ones are:

- (1) thickness of construction material;
- (2) markings;
- (3) UN specification status;
- (4) nature of residues of previous contents, difficulty of removal, and steps necessary to handle safely and dispose of these residues;
- (5) degree of damage and overall condition.

Because of one or more of these factors, some drums are "non-economic" and we must charge for their proper disposition. Due to strict environmental regulations, these drums must first be cleaned before the drum carcass may be sent to a steel or plastic scrap recycler. For this reason, charges may be made for certain low value drums and for drum disposal.