

# Empty Industrial Container Acceptance Policy (1 of 3)

## Policy

1. Safety Data Sheets (SDS) are required for the materials that were last contained in the industrial containers being picked up. Mitchell Container Services, Inc. will contact the customer to authorize shipment upon verification of possession, and review, of the SDS sheets.
2. Industrial containers must be "Drip Dry" Empty. <https://www.gpo.gov/fdsys/pkg/CFR-2011-title40-vol26/pdf/CFR-2011-title40-vol26-sec261-7.pdf>
3. Certain liquid products require that the industrial containers be "Triple Rinsed" prior to acceptance by MCS, Inc. These containers must be thoroughly rinsed with water and/or a solution capable of removing the remaining residue. A label must be attached to the container stating "Triple Rinsed".  
  
These products include, but are not limited too:
  - Acutely Hazardous Substances. Please refer to 40 CFR 261.33 for a complete list of acutely hazardous substances. <https://www.gpo.gov/fdsys/pkg/CFR-2006-title40-vol25/pdf/CFR-2006-title40-vol25-sec261-33.pdf>
4. Solid products require that the industrial containers be completely emptied prior to acceptance by MCS, Inc. These containers must be completely emptied of product/dust, leaving no residue. Any liners must also be removed from the container.
5. MCS, Inc. does not accept any containers that last contained DOT CLASS 1: EXPLOSIVES, DOT CLASS 4: FLAMMABLE SOLID, SPONTANEOUSLY COMBUSTIBLE, AND DANGEROUS WHEN WET, AND DOT CLASS 7: RADIOACTIVE.
6. *Containers must be properly prepared for transportation:*
  - With all openings closed and secure. Including, but not limited too, removable drum lids/rings, bungs, fill caps, valves, and vents.
  - With the original label describing the drum residue legibly in place.
  - Containers must be transported upright and secured.
  - For a complete list of shipping requirements for empty containers refer to 49 CFR 173.29. <https://www.gpo.gov/fdsys/pkg/CFR-2011-title49-vol2/pdf/CFR-2011-title49-vol2-sec173-29.pdf>
7. Mitchell Container Services, Inc. will telephone, fax, or email, the customer contact person to resolve any quantity or product code discrepancies.
8. Mitchell Container Services, Inc. reserves the right to reject any shipment that doesn't meet the above standards or EPA/DOT regulations. This will be done by informing the truck driver and the customer contact person.

# Empty Industrial Container Acceptance Policy (2 of 3)

## Empty Industrial Container Certification

I certify that the industrial containers in this shipment are and properly prepared for shipping per the MCS, Inc. – Industrial Container Acceptance Policy:

1. SDS sheets have been provided to MCS covering all products last contained within the containers.
2. All containers are “Drip-dry empty”.
3. All containers requiring “Triple-Rinsing” have been cleaned out and labeled “Triple-Rinsed”.
4. All empty containers are loaded/stacked upright, all closures are tight and secure, all markings/labels are in place, and legible (Department of Transportation (49 CFR 173.29.\*\*) ).

**Title** – Title to the industrial containers does not pass to Mitchell Container Services, Inc. until the containers are unloaded and verified as empty per the MCS Container Acceptance Policy.

**Legal Liability** – Persons arranging for disposition of non- empty containers may be considered to have “arranged for disposal or treatment ... of hazardous substances” or to have engaged in the “abandonment or discard” of unclean containers. Both of these terms are from the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601), or “Superfund” and both activities establish strict, retroactive, joint-and-several liability for any subsequent contamination and environmental response costs.

**Emptying** – Personnel emptying containers should know the details of the EPA definition of an empty container. Especially important is understanding the nickname “one-inch rule” applies only in the very limited number of cases involving non-flowable products. MCS, Inc. prefers the term “drip-dry,” indicating that all materials that can be removed (using normal methods, like pouring) have been removed.

Date: \_\_\_\_\_

Trailer Number: \_\_\_\_\_

Company Name: \_\_\_\_\_

Name (Please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Position in Company: \_\_\_\_\_

# Empty Industrial Container Acceptance Policy (3 of 3)

## Nine Classes of Hazardous Materials

**Class 1: Explosives**  
Divisions: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6



**Class 6: Poison (Toxic) and Poison Inhalation Hazard**

**Class 2: Gases**  
Divisions: 2.1, 2.2, 2.3



**Class 7: Radioactive**

**Class 3: Flammable Liquid and Combustible Liquid**



**Class 8: Corrosive**

**Class 4: Flammable Solid, Spontaneously Combustible, and Dangerous When Wet**  
Divisions 4.1, 4.2, 4.3



**Class 9: Miscellaneous**

**Class 5: Oxidizer and Organic Peroxide**  
Divisions 5.1, 5.2



**Dangerous**

Revised 04/13

Federal Motor Carrier Safety Administration

U.S. Department of Transportation  
www.fmcsa.dot.gov

### Proper Drum & IBC Emptying

#### DO NOT REMOVE LABELS

**Tight Head DRUMS**



#### DO NOT REMOVE LABELS

**Open Head DRUMS**



IBC's must be "drip dry". No material should remain at the bottom or in the corners. Tip or tilt the IBC using a block of wood or other secure method to enable product to flow out of the valve and into a safe container. Thicker materials may require several hours draining. Before returning, close valve, close fill cap, and DO NOT remove labels.



Reusable Industrial Packaging Association (RIPA) www.reusablepackaging.org