secured closed position. The setting at which the device opens must be established so that the device remains in the closed position whenever the internal pressure of the container is within the internal pressure operating range determined by the owner or operator based on the container manufacturer recommendations, applicable regulations, fire protection and prevention codes and practices and other requirements for the safe handling of flammable, ignitable, explosive, reactive or hazardous materials. Opening of a safety device is permitted at any time conditions require doing so to avoid an unsafe condition.

The owner or operator must inspect all containers using Container Level 2 controls upon filling. When the hazardous waste is already in the container at the time the owner or operator accepts possession of the container, the owner or operator has 24 hours to perform a visual inspection. The visual inspection will be conducted to check for visible cracks, holes, gaps, or other open spaces into the interior of the container when the closure devices and cover are secured in the closed position. The owner or operator must repair any defects that were detected within five days of detection. A first attempt at repair must begin within 24 hours of detection.

When a container, used to manage hazardous, remains at the facility for a period of a year or more, the owner or operator must visually inspect the container and its cover and closure devices initially upon receipt of the container and thereafter at least once every 12 months. The owner or operator must check for any visible cracks, holes, gaps or other open spaces into the interior of the container when the closure device and cover are in the secured closed position. Again, when a defect is detected, a first attempt at repair must begin within 24 hours of detection, and must be completed within five days of detection.

5.4.3 Container Level 3 Controls

If waste stabilization is occurring within the container, the owner or operator must use Container Level 3 controls. There are two options for Level 3 controls.

- Use a container that is vented through a closed-vent system to a control device; and

- Use a container that is vented inside an enclosure which is exhausted through a closed-vent system to a control device.
If the container is vented through a closed-vent system to a control device, the closed-vent system must be designed for no detectable emission (less than 500 ppm) in accordance with Method 21. This determination must be conducted initially and then annually thereafter. The control devices must meet the requirements of 40 CFR 264.1087 and 265.1088 which contain requirement that are specific to each control device.

When a container is vented inside an enclosure which is exhausted through a closed-vent system to a control device, the enclosure must be designed and operated in accordance with the criteria for a permanent total enclosure as specified in “Procedure T- Criteria for and Verification of a Permanent or Temporary Total Enclosure” under 40 CFR 52.741, Appendix B. The enclosure is permitted to have permanent or temporary openings to allow worker access; passage of containers through the enclosure by conveyor or other mechanical means; entry of permanent mechanical or electrical equipment; or direct airflow into the enclosure. The owner or operator must certify the enclosure in accordance with Procedure T, initially and annually thereafter.

The closed-vent system associated with the enclosure must be designed to operate with no detectable emissions as described above for closed-vent systems. This must be certified initially and annually thereafter. The control device must be designed and operated in accordance with the requirements of 40 CFR 264.1087.

Safety devices are permitted on any container, enclosure or closed-vent system. Such devices must remain in the closed position except during emergency, unplanned events.

The owner or operator must maintain records that the enclosure meets Procedure T. Records that the closed-vent system is operating at no detectable emissions must also be maintained. Each control device has specific monitoring requirements that are continuously recorded and maintained.

5.5 Closed-Vent Systems and Control Devices

5.5.1 Overview

A control device by definition, as presented in 40 CFR 264.1031, is an enclosed combustion device, vapor recovery system or flare. In RCRA air standards, devices which recover or capture solvents or other organics for use, reuse or sale are not control devices.