

South Carolina Department of Labor, Licensing and Regulation  
Division of Labor  
Office of Occupational Safety and Health  
Columbia, South Carolina 29211

**OSH Program Directive Number 78-1910.106/107/108-8/5/3**

**Subject:** Article VI, Section 1910.106 (h) (8) (iii), 1910.107 (g) (3), or 1910.108 (f) (2) – Relative to Metal Waste Cans.

**Standard:** Article VI, Sections 1910.106 (h) (8) (iii), 1910.107 (g) (3), and 1910.108 (f) (2), Rules and Regulations, Commissioner of Labor, State of South Carolina.

**Cross Reference to Federal Standards:** 29 CFR 1910.106 (h) (8) (iii), 29 CFR 1910.107 (g) (3), and 29 CFR 1910.108 (f) (2).

**Background:** The purpose of this directive is to give guidance on citing for the use of approved nonmetallic waste cans, where the OSHA standard requires a metal waste can.

There are several standards that require approved metal waste cans or metal waste cans. Presently, there are approved nonmetallic waste cans on the market.

It is not the intent of OSHA to discriminate or restrict employers from using new materials or products providing the products are approved or listed by nationally recognized testing laboratories for the particular use or exposure at the workplace.

**Interpretation:** Where the employer is found using an approved nonmetallic waste can that is approved for its particular use or exposure at the worksite by a nationally recognized testing laboratory; and, the nonmetallic waste can is in violation of an OSHA standard requiring a metal waste can, the violation shall be considered “de minimis”.

Note: A nonmetallic container may be approved for the temporary storage indoors of Class A combustible waste free of grease, oil solvents, or other flammable liquids, and not be approved for the temporary storage of oil or solvent soaked waste.

**Effective Date:** This instruction is effective upon receipt and will remain in effect until cancelled or superseded by amendment to the Rules and Regulations.

William M. Lybrand, Director  
March 31, 1978