

## Hazardous Waste/Toxics Use Reduction

### Guidance Title: Aerosol Spray Can Management

**Guidance Number: 2005-PO-001**

(Revised -- Supersedes Policy Number 1994-PO-001)

**Effective Date:** June 24, 2005

#### **What Is the purpose of this guidance?**

When discarded, aerosol cans are solid wastes and thus a potential hazardous waste. Due to the construction of an aerosol can and the wide range of potential contents, it can be difficult to determine if a discarded aerosol can is regulated as a hazardous or solid waste.

The purpose of this guidance is to provide direction on the accumulation, collection, and processing of aerosol cans and their contents; and to assist DEQ employees and hazardous waste generators who generate waste aerosol cans in determining how their aerosol cans are regulated.

This document does not constitute rulemaking by the Oregon Environmental Quality Commission, and no person may interpret this guidance to create a right or benefit, substantive or procedural, enforceable by law or in equity.

The guidance does not apply to persons generating household hazardous waste as defined in 40 CFR 261.4(b)(1).

#### **Discussion**

A wide variety of industries use aerosol cans. Some aerosol products – cleaners, lubricants, paints, solvents, and pesticides – are hazardous materials and may be hazardous waste when disposed. Many aerosol cans contain highly flammable propellants such as propane or butane. Pressurized cans can also present safety concerns if managed improperly.

#### **Which aerosol cans are regulated as hazardous waste?**

Generators of waste aerosol cans containing residual product that meet the definition of hazardous waste will need to determine if the contents remaining in the can are hazardous waste. A discarded aerosol can is a hazardous waste if the can and its contents exhibit a hazardous waste characteristic or if it is a listed hazardous waste. In addition, an empty aerosol can which is not fully depressurized is regulated as a reactive characteristic hazardous waste.

Discarded aerosol cans determined to be a hazardous waste, or that are not fully depressurized, must be managed according to applicable hazardous waste management requirements.

#### **Which aerosol cans are not regulated as hazardous waste?**

Aerosol cans that are still in use and that contain usable product are not yet considered wastes.

Aerosol cans that are empty and fully depressurized or, depressurized aerosol cans that contain materials that are not themselves hazardous wastes may be recycled or disposed as a solid waste.

#### **Puncturing aerosol cans**

Aerosol can puncturing devices may be used to completely empty aerosol cans and make them non-reactive. Punctured and drained aerosol cans meet the definition of an empty container (see 40 CFR 261.7) and are exempt from management as hazardous waste management requirements.



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**Note:**

Emptied aerosol cans formerly containing materials that would meet the definition of an acutely hazardous waste must meet provisions of 40 CFR 261.7(b)(3) (Residues of hazardous waste in empty containers.) before they can be disposed of as solid waste. Emptied aerosol cans formerly containing pesticides must be managed according to OAR 340-109-0020 (Empty Containers) before they can be disposed of as solid waste.

Punctured and drained aerosol cans will also not exhibit the hazardous waste characteristic of reactivity. Punctured and drained aerosol cans may be disposed as solid waste or recycled as scrap metal.

Can puncturing is not considered a regulated treatment activity as long as the puncturing does not release hazardous constituents into the environment and all contents are collected in a container. Most of the commercially available puncturing devices meet this condition.

Collected liquids and contained gases removed from the aerosol cans are subject to a hazardous waste determination if discarded. Collected material determined to be a hazardous waste must be managed according to applicable hazardous waste management requirements.

Prior to puncturing, aerosol cans must be safely stored. Pressurized aerosol cans should be stored in an accumulation container that is in good condition and capable of preventing a release if a can leaks. The accumulation container should be closed when not adding or removing cans and labeled as containing waste aerosol cans for puncturing. It should be located at or near the can punching operation and can not exceed 55 gallons in capacity

**Aerosol cans not punctured**

Aerosol cans that are not punctured and drained will need to be evaluated to determine if they are a listed or characteristic hazardous waste. The waste generator is responsible for performing a hazardous waste determination on aerosol cans that are not punctured and drained.