

Aerosol Can Questions

by Rose McLean and Jeff Mayhugh from the Winter 2006 Ohio EPA Division of Hazardous Waste "Notifier"

This article is intended to clarify two questions that we frequently receive about the regulatory status of aerosol cans: When are aerosol cans considered empty? If aerosol cans have not been punctured, must they be managed as hazardous waste (when the can is not being reclaimed, reused or recycled)?

The main focus of both these questions hinges on what you plan to do with the "empty" can. You may want to refer back to the *Winter 2002 Notifier* newsletter for more information about management requirements. First, understand that you are required to evaluate both the contents and the can itself. When evaluating the contents, there is a two-pronged test to determine if the can is empty:

- it must be emptied of all waste using practices commonly employed to remove materials from that type of container, that is, pouring, pumping and aspirating; (the easiest way to do this is to use a can puncturing device)
- contain less than or equal to 2.5 centimeters of liquid residue or no more than three percent by weight of the total capacity of the container remains.

If the aerosol can did not contain a material that would be a hazardous waste now that it will be disposed of, then the material remaining in the can is not subject to any hazardous waste rules, including the *RCRA empty rule* (which determines when a container is empty). If the aerosol can contains a hazardous waste, either *listed* or *characteristic*, then its contents will be subject to the hazardous waste rules. However, the can itself must be evaluated regardless of its contents.

When are aerosol cans considered empty?

To answer that, you must first determine what the aerosol can contained. The definition of an empty aerosol can depends on the can's original contents and the planned method of disposal. The best way to manage aerosol cans is to recycle both the can and the contents so as to avoid having to make an empty container determination (and eliminating the need to read any further).

Are you planning to throw the can away?

If so, here are the management topics that affect you:

- If the aerosol can contains only a hazardous compressed gas, such as butane used to calibrate your air monitoring equipment, then the can is empty once it reaches atmospheric pressure [see Ohio Administrative Code (OAC) rule *3745-51-07(B)(2)*]. Once the can is empty, any hazardous waste remaining in it is not subject to Ohio's hazardous waste rules. However, since you are disposing of the container, you would still be required to *evaluate* the shell (can) prior to disposal.

If the shell is hazardous, then you must manage it according to the applicable hazardous waste *regulations*. Please note that you can use *generator knowledge* to determine whether the shell is hazardous.

- If the aerosol can contained a product such as paint or solvent, and you have emptied it according to normal methods of emptying an aerosol can, then the can is not empty until no more

Example of How to Determine if Your Aerosol Can is Empty

