



May 8, 2018

via: www.regulations.gov

Tracy Atagi
U.S. Environmental Protection Agency
Office of Land and Emergency Management (Mail Code 5304P)
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Attention: Docket ID No. EPA-HQ-OLEM-2017-0463

RE: Proposed Rule, Increasing Recycling: Adding Aerosol Cans to the Universal Waste Regulations (83 FR 11654)

Dear Ms. Atagi:

The Arkansas Department of Environmental Quality Office of Land Resources (ADEQ) has reviewed EPA's Proposed Rule, Increasing Recycling: Adding Aerosol Cans to the Universal Waste Regulations published in the Federal Register on March 16, 2018. ADEQ is pleased to provide the following comments on this proposed rule.

EPA requested comment on the rationale for proposing aerosol cans to be managed under the universal waste rule. ADEQ agrees with the analysis used to include aerosol cans in the universal waste category.

ADEQ suggests that EPA be clear in defining an "intact aerosol can" if the rule is finalized as proposed. For example, in the preamble, EPA is clear the definition is intended to be "limited to sealed containers whose intended use is to dispense a material by means of a propellant or compressed gas." However, in the proposed 40 CFR Part 260.10 definitions aerosol can is defined as "an intact container in which gas under pressure is used to aerate and dispense any material through a valve in the form of a spray or foam."

ADEQ does not believe there should be a size limitation on the aerosol cans eligible for the universal waste regulations.

ADEQ agrees with EPA's proposal that puncturing and draining activities be conducted by a commercial device specifically designed to safely puncture aerosol cans and effectively contain the residual contents and any emissions. ADEQ also agrees that the puncturing and draining

activities be limited to universal waste handlers, except when a commercial processor is also a destination facility as defined in 40 CFR Part 273.

Thank you for the opportunity to comment on this proposed rule. If you have any questions regarding any of these comments, please feel free to contact me at wilson@adeq.state.ar.us or 501-682-0868.

Sincerely,



Penny J. Wilson
Compliance Branch Manager
Regulated Waste Operations
Office of Land Resources