



*Council on Safe Transportation of Hazardous Articles*

May 14, 2018

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Environmental Protection Agency  
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**Re: Docket ID Number EPA-HQ-OLEM-2017-0463; Proposed Rule for Increasing Recycling: Adding Aerosol Cans to the Universal Waste Regulations**

The Council on Safe Transportation of Hazardous Articles, Inc. (COSTHA) hereby submits comments to the Proposed Rule for Increasing Recycling: Adding Aerosol Cans to the Universal Waste Regulations published in Docket No. EPA-HQ—OLEM-2017-0463 on March 16, 2018.

COSTHA is a not-for-profit organization representing manufacturers, shippers, distributors, carriers, freight forwarders, trainers, packaging manufacturers and others associated with the hazardous materials transportation industry. In addition to promoting regulatory compliance and safety in hazardous materials transportation, COSTHA assists our members and the public in evaluating the practicality and efficacy of laws, rules and regulations for the safe transportation and distribution of hazardous materials.

COSTHA appreciates the opportunity to comment on this proposal. COSTHA supports the addition of hazardous waste aerosol cans to the universal waste program under the federal Resource Conservation and Recovery Act (RCRA) regulations. We believe the streamlined management rules for Universal Wastes would simplify regulated waste management procedures for generators and handlers, result in significant cost savings, provide additional waste management options for aerosol cans, and promote recycling of aerosol cans while providing a framework to manage these waste streams in a safe, responsible, and compliant way.

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**Comments on the definition of an aerosol can and the types of materials that should fall under it:**

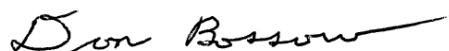
- COSTHA suggests that the definition of an aerosol provided in the UN model regulations on the Transportation of Dangerous Goods be adopted in this regulation to harmonize with the international community. This is a more inclusive definition of aerosols and would allow aerosol cans which are designed to expel product in forms other than a spray or foam to be included in the program.
- COSTHA supports the exclusion of aerosol cans meeting the definition of empty. These containers are not currently regulated as hazardous waste and should continue to be managed as non-regulated materials and recycled for their scrap metal value.
- COSTHA supports the EPA decision not to include a statutory size limit on the aerosol cans as the size does not impact how the containers will be managed. In practice, most aerosol cans will have a capacity of 1 liter or less since transportation regulations limit the capacity to 1 liter for transport as an aerosol.

**Comments on puncturing and draining of aerosol containers for recycling:**

- COSTHA agrees that leaking or corroded aerosol cans should be excluded from the universal waste program and continue to be handled as fully regulated hazardous waste if they must be offered for disposal, but we believe that the generator should be allowed to puncture and recover the contents of the can using an appropriate commercial device, then offer the can for recycling. This provides an improved measure of safety versus transporting leaking or damaged cans for disposal.
- COSTHA suggests that the option to puncture and drain any aerosol can, then offer the can for recycling, should be available for all types of materials and it should be the responsibility of the generator or handler to ensure the materials in the aerosol can are compatible with the puncturing device and receiving container.

COSTHA appreciates the opportunity to comment on this proposal. If you have any questions, please feel free to contact us.

Sincerely,



Donald Bossow, CIH  
Sr Regulatory Advisor