**EPA Proposing Changes to Aerosol Can Hazardous Waste Regulations**

EPA is proposing to allow generators to handle aerosol cans as a universal waste rather than a hazardous waste. As a result, EPA hopes to encourage more recycling, ease regulatory burdens on generators, reduce the amount of cans going to landfills, and save over $3 million per year.

The Current Aerosol Can Hazardous Waste Regulation

Aerosol cans, when discarded, are handled as hazardous waste. Entities with these are required to follow all hazardous waste rules regarding them. They can be stored for only 270 days. Retail stores who discard aerosol cans must also follow all hazardous waste rules. In some states, generators can recycle the cans for scrap metal by puncturing them and draining the contents into other containers. The can becomes non-hazardous, but the container of leftovers is considered hazardous waste. Some states don’t allow the puncturing and recycling of cans at all, even under carbon filtration.

The Proposed Aerosol Can Hazardous Waste Regulation

The proposed regulation would make discarded aerosol cans a universal waste. Other EPA universal wastes include batteries, mercury-containing equipment, and hazardous waste mercury lamps. Universal wastes can be stored and collected for up to one year and don’t need a hazardous waste manifest as long as they’re properly packaged and labeled.

As for can recycling, the proposed rule would encourage generators to collect and send their cans to a centralized hazardous waste handler for recycling. Any company recycling aerosol cans would be subject to special requirements. Only approved commercial devices for safely puncturing cans could be used. These facilities would also be required to have written procedures for operations and maintenance of the machines, how incompatible wastes would be segregated, proper hazardous waste management practices to be followed, and what emergency spill procedures would be followed.

EPA’s intent is to ease retail’s burden of managing hazardous waste, ease generators’ hazardous waste management burden of handling the cans as hazardous waste, and encouraging more states and more entities to recycle them.

Gaps

There are still some gaps and unknowns within the regulations such as: What is the exact definition of an aerosol can, that is, would cans that do not aerate (such as shaving gel cans), be included? At what point between full, empty, “RCRA empty”, and used would the cans be eligible for universal waste consideration? Should there be a size limit on the cans; would cylinders be included? Would the equipment that some generators have already invested in to puncture and recycle their own cans be suitable under the new regulation?

EPA is accepting comments until May 15, 2018. To read more about the proposed regulation and where to send your comments, [read here](https://www.federalregister.gov/documents/2018/03/16/2018-05282/increasing-recycling-adding-aerosol-cans-to-the-universal-waste-regulations).