

## Aerosol Can Management

*Simplifying Compliance*

Any person other than a household that is going to dispose of an aerosol can must make a hazardous waste determination for both the can itself, the liquid product contained in the can and the gaseous propellant, in accordance with KRS Chapter 224 and 401 KAR Chapters 30-40.

A scrap metal recycling exemption is contained in Kentucky's hazardous waste regulations and may be applicable to a hazardous waste determination for aerosol cans. Therefore, in order to properly manage aerosol cans and be in compliance with the Division of Waste Management's regulations, it is important to understand how to properly identify and manage wastes. This fact sheet is not a substitute for reading and understanding Kentucky Department for Environmental Protection regulations and just provides a general overview.



### *Did the can contain hazardous waste?*

In many aerosol cans, the propellant, if not the product itself, exhibits hazardous characteristics (toxicity, reactivity, ignitability and/or corrosivity). Any liquid or contained gases can be determined a hazardous waste if they are listed in 401 KAR 31:040, or if they exhibit one or more characteristics of hazardous waste as described in 401 KAR 31:030. A hazardous waste determination can be made by reviewing the product's MSDS or characteristic tests.

*Keep records of all waste determinations.*



If the contents of the can are not a listed hazardous waste or exhibit a characteristic of hazardous waste, then the can may be disposed of as solid waste or recycled.

### *Is the can empty in accordance with 401 KAR 31:010, Section 7?*



Some material always remains in an aerosol can no matter how 'empty' it seems. In order to be considered empty, aerosol cans generally require puncturing. Special devices are available specifically to puncture and capture the contents of an aerosol can.

To be considered empty, in accordance with 40 CFR 261.7, any container or inner liner removed from a container that has held hazardous waste...

Ⓐ ...except acute hazardous waste or compressed gases when:

1. All waste has been removed via pouring, pumping, and/or aspiration, AND
  - 2a. ≤1 inch of residue remains, OR
  - 2b. ≤3% by weight remains of a ≤119 gallon container, OR
  - 2c. ≤0.3% by weight remains of a >119 gallon container.



Ⓑ ...that is a compressed gas when the pressure in the container approaches atmospheric.

Ⓒ ...that is an acute hazardous waste when it is triple rinsed with an appropriate solvent to remove waste, or otherwise cleaned by an equivalent method.



#### Contacts

**Division of Compliance Assistance**  
 (800) 926-8111  
 envhelp@ky.gov  
[DCA.ky.gov](http://DCA.ky.gov)

**Division of Waste Management**  
 (502) 564-6716  
[Waste.ky.gov](http://Waste.ky.gov)

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## Simplifying Compliance



The options...

Recycle?

Solid Waste?

Hazardous Waste?



### Puncture and Recycle

If the can meets the definition of scrap metal, it may be recycled after puncturing. By recycling, the *empty can becomes exempt* from hazardous waste regulations pursuant to 401 KAR 31:010 Section 6(c)4.

### Puncture and Toss

If the facility chooses to puncture and dispose of the can as solid waste, the act of puncturing is considered treatment on-site, which *requires a permit* from the Ky. Division of Waste Management.

### Dispose of as Hazardous Waste

If the can contains hazardous wastes and is not punctured, the aerosol can must be *managed as hazardous waste*.

### Recycle as Hazardous Waste

There is not a regulation prohibiting the recycling of aerosol cans that are not punctured. The cans would not meet the scrap metal exemption (if not punctured) and would be *fully regulated* for storage, manifesting and transport like any other hazardous waste that is being recycled.

Containers for all unpunctured aerosol cans and drained hazardous materials from puncturing must meet requirements set forth in 401 KAR 32:030. As with other hazardous waste requirements, containers should be closed and labeled appropriately.

What type of container is required?



Always follow labeling procedures.

Keep records of the quantities and destinations of all hazardous waste and recyclables.



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