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# ENVIRONMENTAL Fact Sheet

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## Universal Waste: Aerosol Can Management for Businesses

The New Hampshire Department of Environmental Services (NHDES) has adopted rules that allow hazardous waste aerosol cans to be managed as “universal waste.” This could reduce the regulatory and financial burden of managing aerosol cans.

### When Are Aerosol Cans Hazardous Wastes?

Aerosol cans may be hazardous wastes when they are non-empty and will no longer be used. Aerosol cans are not hazardous wastes when they have been emptied of contents by using the product for its intended purpose and are able to be disposed of as solid waste. Non-empty Aerosol cans are commonly discarded for several reasons, such as: the spray mechanism is damaged or clogged and no longer works, the propellant has been exhausted while product remains, or the product is no longer wanted or needed.

A waste determination must be performed on non-empty aerosol cans to determine whether the contents are hazardous, the propellant is ignitable or toxic, or the product itself is ignitable, corrosive, or toxic. If contents are hazardous, then the waste non-empty aerosol can is a hazardous waste. Aerosol cans containing paint, pesticides, and cleaning products are several examples of materials that may be hazardous when discarded. Many aerosol cans use hydrocarbons, such as propane, butane, or liquefied propane gas, as the propellant. Therefore, many waste aerosol cans that are not empty are ignitable hazardous wastes. Note that household waste is exempt; therefore, spent aerosol cans generated by households are not regulated as hazardous waste although recycling is encouraged.

### Universal Waste Aerosol Can Management

Aerosol cans may be managed as hazardous waste under the more stringent requirements described in Env-Hw 400 through Env-Hw 800 and Env-Hw 1200. However, managing aerosol cans in accordance with the universal waste management standards described in Env-Hw 1115 may ease regulatory burdens on facilities that accumulate waste aerosol cans, in addition to promoting recycling.

### Requirements for management of universal waste aerosol cans:

- Place cans in containers which are compatible with the waste contents, structurally sound to prevent leakage, spills, damage and protected from sources of heat.
- Cans that are intact and not breached are allowed to be sorted by type, mixed in one container, and have the actuators removed to reduce the risk of accidental release.
- If stored outside, containers must be covered to prevent precipitation from coming in contact with the waste or containers in which the waste is stored.
- Mark each container with “Universal Waste-Aerosol Cans,” “Waste Aerosol Cans” or “Used Aerosol Cans.”
- Manage cans in a way that prevents releases of wastes to the environment.
- Inform employees of the types of universal wastes onsite, proper handling, and emergency procedures.
- Waste cans cannot be accumulated onsite for longer than one year.
- Maintain an inventory/dating system to demonstrate compliance with the storage time limit.

- If over 5,000 kilograms of total universal waste are accumulated on-site, provide notification to NHDES and keep universal waste shipment records for a minimum of three years (log, invoice, manifest, bill of lading or other shipping document).
- Universal waste is exempt from the Land Disposal Restriction (LDR) requirements in Env-Hw 1200.

### **Managing Leaking Aerosol Cans**

Universal waste aerosol cans that show evidence of leakage must be immediately, not to exceed one hour from discovery, packaged in a separate closed container, overpacked with absorbents and stored in a closed container, or punctured and drained in accordance with the requirements discussed below.

### **Puncturing and Recycling Universal Waste Aerosol Cans**

If a facility punctures their universal waste aerosol cans, the liquid contents must be collected, and the empty cans recycled as scrap metal. The universal waste rules also include requirements for the puncturing and management of the resulting waste, such as:

- Use a device specifically designed to safely puncture aerosol cans and contain the residual contents and any emissions thereof.
- Ensure the empty punctured aerosol cans are recycled.
- Establish and follow a written procedure detailing how to safely puncture and drain universal waste aerosol cans (including proper assembly, operation, and maintenance of the unit, segregation of incompatible wastes, and waste management practices to prevent fires and releases).
- Ensure that employees are trained on proper procedure.
- Maintain a copy of the manufacturer's specifications and instructions for the unit on site.
- Ensure that puncturing is done in a manner designed to prevent fires and to prevent the release of any component of universal waste to the environment, including but not limited to locating the puncturing unit on a solid, flat surface and in a well-ventilated area.
- Establish and follow a written procedure to be followed in the event of a spill or a release.
- Provide and maintain a spill clean-up kit.
- Immediately transfer the contents from the waste aerosol can or puncturing device to a compatible container.
- Conduct an accurate hazardous waste determination on the contents of the emptied can and any filters, media, and residue from the puncturing unit's vapor recovery system.
- If the contents of the emptied aerosol cans or the vapor recovery system are hazardous waste, the facility shall be considered the generator and shall comply with all applicable requirements of Env-Hw 400 through Env-Hw 800 and Env-Hw 1200 (including counting the waste toward its generator status, storing the waste in a container that is in good condition, closed and labeled with the words "hazardous waste" and a description of its contents).

### **Management of Aerosol Cans as Hazardous Waste**

Some facilities may find it more advantageous to manage and puncture aerosol cans in accordance with Env-Hw 400 through Env-Hw 800 and Env-Hw 1200. Under those requirements, aerosol cans must be counted toward the facility's generator status and must be managed as hazardous waste, including accumulation time limits and other management requirements. Hazardous waste aerosol cans can be punctured using a device that contains the residual contents and any emissions. A hazardous waste determination must be conducted on the contents of the emptied aerosol cans and any filters, media and residue from the puncturing unit's vapor recovery system. If hazardous, the facility must comply with all applicable hazardous waste requirements. NHDES recommends that the facility adopt best practices for puncturing, including written procedures, maintaining unit instructions and recycling empty punctured cans.

### **For more information**

Questions regarding this fact sheet should be directed to the NHDES Hazardous Waste Management Bureau at [\(603\) 271-2942](tel:6032712942) or toll-free within New Hampshire at 866-HAZWAST (M-F 8 a.m.-4 p.m.) or email [hwcomp@des.nh.gov](mailto:hwcomp@des.nh.gov). For a complete description of the requirements, refer to the New Hampshire Hazardous Waste Rules, Env-Hw 100-1300, available from NHDES' website at [www.des.nh.gov](http://www.des.nh.gov).