



WHITEPAPER

Aerosol Cans as New Universal Waste

By [Stephen B. Ellingson, PhD](#)

September 28, 2020

On August 25, 2020, the Georgia Board of Natural Resources amended Rule 391-3-11 adding the U.S. Environmental Protection Agency's (EPA) new December 9, 2019, universal waste (UW) rule. This amended state rule is effective on October 5, 2020, and Georgia is now the fourteenth state to adopt EPA's new UW rule for aerosol cans (see map below). The EPA rule created a new category of waste allowing facilities the option of streamlining the management of aerosol cans (see table below).

Some advantages to using these new UW rules for aerosol cans:

- Facilities do not have to use a manifest or land disposal restriction (LDR) form for offsite shipments of UW.
- Leaking or damaged aerosol cans can still be managed as UW. However, they must be placed in a separate closed container, overpacked with absorbents or immediately punctured and drained. Facilities deciding to puncture their intact aerosol cans are subject to a lengthy list of requirements [see 40 CFR 273.13(e)(4)(i) to (vii)].
- UW are not counted to determine a facility's monthly generator status. Very Small Quantity Generators (≤ 220 lbs./month of hazardous waste or ≤ 2.2 lbs./month of acutely hazardous waste) do not have to comply with the UW rule.

VATTENASSOCIATES.COM

P 678.512.9688 | F 678.331.3881

3600 DALLAS HWY, SUITE 230-375, MARIETTA GA, 30064

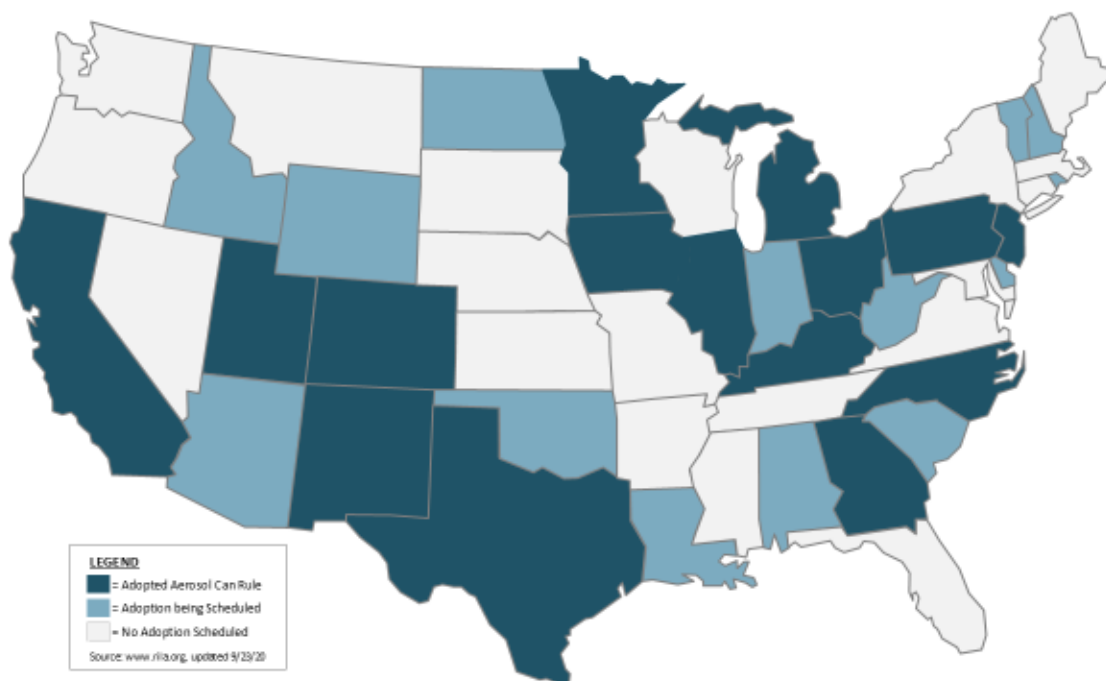
Summary of Requirements for Aerosol Cans as Universal Waste

Requirement	Small Quantity Handler (< 11,023 lbs. all UW at any time)	Large Quantity Handler (≥ 11,023 lbs. all UW at any time)
Agency Notification	Not required	Facility must receive EPA ID Number before ≥ 11,023 lbs.
Waste Management	Place in structurally sound, compatible container without leaks, protect from heat	
Labeling/Marking	“Universal Waste—Aerosol Can(s),” “Waste Aerosol Can(s),” or “Used Aerosol Can(s)”	
Accumulation Limit	One year	
Employee Training	Inform employees who handle or have responsibility for managing UW	Familiarize employees with waste handling/emergency procedures relative to their UW responsibilities
Release Response	Contain releases, determine if hazardous waste, if “yes” manage per 40 CFR 262	
Offsite Shipment	Prohibited from shipping UW to non-UW handler, destination facility, or foreign destination	
Tracking	Not required	Record shipments, retain records for 3 years
Exporting	Follow 40 CFR 262, subpart H	

Caution – Check State Adoption

States do not have to adopt EPA’s new aerosol can rule. Therefore, if your facility is in a state that has not adopted the new rule; then you cannot manage aerosol cans as UW. A map showing the adoption status of the states is provided below.

State Adoption of Aerosol Cans as Universal Waste



More to Explore:

EPA's Universal Waste webpage, [copy here](#).

EPA's Final Rule on Increasing Recycling: Adding Aerosol Cans to the Universal Waste Regulations, [copy here](#).