

Universal Wastes – Including Aerosol Cans

LAND QUALITY BUREAU



On November 15th, 2019, The Environmental Protection Agency (EPA) signed a rule adding aerosol cans to the federal list of materials eligible to be handled as universal wastes (UW), regulated under title 40 of the Code of Federal Regulations (CFR), part 273. The rule will become effective in Iowa 60 days after publication in the federal register (estimated mid-June 2020). EPA’s universal waste regulations streamline the hazardous waste management standards for certain categories of hazardous waste that are commonly generated by a wide variety of establishments. The rule promotes the collection and recycling of universal waste, eases the regulatory burden on retail stores and other generators that wish to collect these wastes and transporters of these wastes, and encourages programs to reduce the quantity of these wastes going to municipal solid waste landfills or combustors.

EASED REGULATIONS

In general, materials managed as universal waste may accumulate no more than one year, and do not require a manifest when shipped, provided they are properly labeled, packaged and stored. Universal wastes also do not need to be counted toward a hazardous waste generators inventory for the purpose of determining whether the generator is classified as a very small quantity generator, small quantity generator, or large quantity generator.

Unless these materials are handled under the universal waste program, they must be managed as hazardous wastes. If a listed waste is mixed with any other waste, the entire mixture then takes on the listed waste's identity and requirements.

UW handlers are classified as *small quantity handlers* or *large quantity handlers*, depending on the amount of UW accumulated at any one time. Under the Universal



Waste Rule, a handler of universal waste can send the universal waste to another handler, where it can be consolidated into a larger shipment for transport to a destination facility.

Key elements of aerosol cans as UW are:

- Allows cans to be recycled as scrap metal.
- Definition consistent with Department of Transportation (DOT).
- Does not include gas cylinders.
- Allows facilities and off site UW handlers to puncture container –if certain practices are followed.
- Punctured waste must receive hazardous waste determination (not UW)
- Follow management standards
- Labeled or marked clearly with any of the following phrases: “Universal Waste—Aerosol Can(s),” “Waste Aerosol Can(s),” or “Used Aerosol Can(s).”

The federal UW regulations in CFR Title 40, part 273 in Iowa, apply to five types of universal waste:

- Batteries
- Pesticides
- Mercury-Containing Equipment
- Waste Lamps
- Aerosol cans



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REGIONAL COLLECTION CENTERS

Regional Collection Centers (RCC) for Household Hazardous Wastes (HHW) can accept UW from households and businesses that are very small quantity generators (VSQG) of HW. To locate your nearest RCC, go to: SafeSmartSolutions.org

Table I - General comparison of generator requirements to UW requirements.

	Small quantity handler of UW	Large quantity handler of UW
Quantity handled by category	Accumulate < 5,000 kg (11,000 lb.) on site at any one time. (§273.9)	Accumulate 5,000 kg (11,000 lb.) or more onsite at any one time. (§273.9)
EPA identification number	Not required (§273.12)	Required (§273.32)
On-Site accumulation limit	< 5,000 kg (§273.9)	No quantity limit
Storage time limit (w/o storage permit)	1 year, unless for proper recovery treatment or disposal (§273.15)	1 year, unless for proper recovery treatment or disposal (§273.35)
Manifest	Not required (§273.19)	Not required but must keep basic shipping records (§273.39)
Personnel training	Basic training (§273.16)	Basic training geared toward employee responsibilities (§273.36)
Labeling/marking	(§273.14)	(§273.34)

Table II - General comparison of hazardous waste transporter requirements to universal waste (UW) transporter requirements

	Small quantity handler of UW	Large quantity handler of UW
Compliance with Department of Transportation (DOT)	Yes 273.52 DOT requirements 49 CFR parts 171-180	Yes 273.10 DOT requirements 49 CFR parts 171-179
EPA identification number (notification requirements)	None	Yes §263.11
Allowance to store up to 10 days at a transfer facility	Yes §273.53	Yes §263.12
Manifest requirements	None	Yes §263.20-22
Response to release	Yes §273.54	Yes §263.30-31 with more complex requirements

This material is not meant to substitute for the regulations found in 40 CFR part 273. www.epa.gov/hw/increasing-recycling-adding-aerosol-cans-universal-waste-regulations