

HAZARDOUS MATERIALS PROGRAM ENVIRONMENTAL FACT SHEET

Managing Aerosol Cans as Universal Waste

What is an aerosol can?

The Vermont Hazardous Waste Management Regulations (VHWMR) define an aerosol can as a non-refillable receptacle containing a gas compressed, liquefied or dissolved under pressure, the sole purpose of which is to expel a liquid, paste, or powder and fitted with a self-closing release device allowing the contents to be ejected by the gas. Common aerosol products include spray paints, solvents, and lubricants. Handlers should note that waste aerosol cans with contents that are hazardous are regulated under the VHWMR. Following revisions to the VHWMR that came into effect in February of 2022, waste aerosol cans are now on the list of universal wastes and may be managed according to the universal waste standards.

What are universal wastes?

Universal wastes are a defined subset of hazardous wastes that pose a lower risk to the environment and public health as compared to other hazardous wastes. These wastes are generated by a wide variety of businesses across generator categories. In order to be a universal waste, though, a waste must first be determined to be a hazardous waste. Nonhazardous waste is not regulated by the VHWMR.

There is a separate set of requirements under the VHWMR that is specific to universal wastes, and it provides alternative management standards for these common hazardous wastes. Rather than managing these types of wastes according to the requirements of Subchapters 1 through 7 of the VHWMR, generators may opt to manage them under the waste-specific management standards of [Subchapter 9 – Universal Waste Management Standards](#).

How do I manage my waste aerosol cans as universal waste?

Before managing waste aerosol cans according to Subchapter 9, generators should first determine whether they are empty. Empty aerosol cans are exempt from regulation under the VHWMR and may be recycled as scrap metal or disposed of in the trash. Making this determination may help generators avoid overmanaging their waste.

If waste aerosol cans are not empty, and the contents of the can are determined to be hazardous, generators may choose to manage this waste under the universal waste management standards specific to aerosol cans outlined in Section (d)(9) of Subchapter 9. The following is a summary of the requirements:

- Aerosol cans must be accumulated in a container that is structurally sound, compatible with the contents of the aerosol cans, lacks evidence of leakage or damage, and is protected from sources of heat.

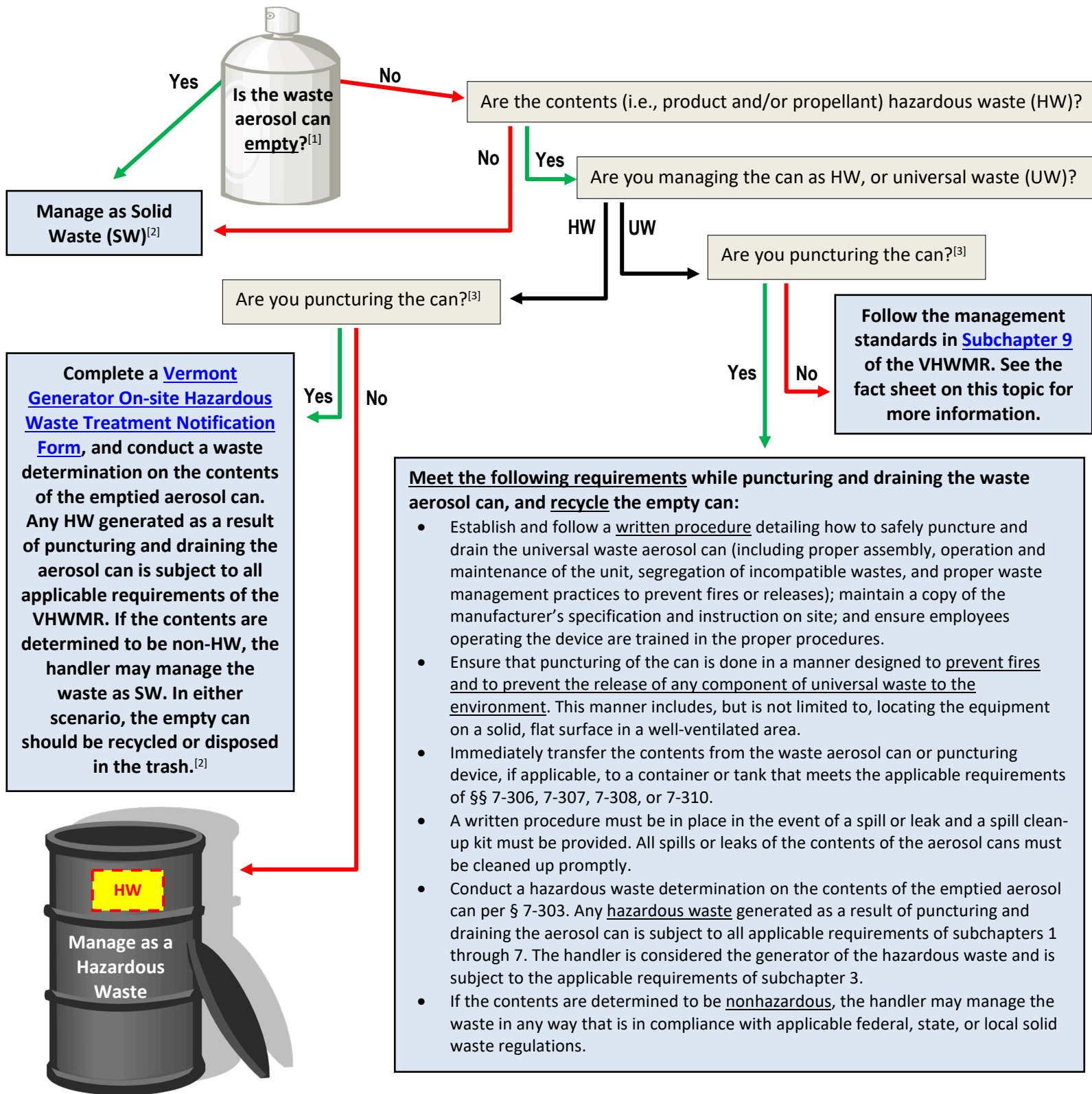
- As long as each aerosol can is not breached, the following activities are allowable: sorting aerosol cans by type, mixing intact cans in one container, removing actuators to reduce the risk of release.
- If aerosol cans show evidence of leakage, they must be packaged in a separate closed container, overpacked with absorbents, or immediately punctured and drained in accordance with the requirements of Section 7-912(d)(9)(D). Note that puncturing and draining must be done using a device designed to safely puncture aerosol cans and effectively contain the residual contents and any emissions.
- Aerosol cans (i.e., each aerosol can), or a container in which the aerosol cans are contained, must be labeled or marked clearly with any of the following phrases: “Universal Waste—Aerosol Can(s),” “Waste Aerosol Can(s),” or “Used Aerosol Can(s)”.
- Aerosol cans may not be accumulated for longer than one year from the date the universal waste is generated, or received from another handler, unless this activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. The handler bears the burden of proving that such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal.
- A handler who accumulates universal waste aerosol cans must be able to demonstrate the length of time that the waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:
 - Placing the aerosol cans in a container and marking or labeling the container with the earliest date that any aerosol cans in the container became a waste or were received.
 - Marking or labeling each individual aerosol can with the date it became a waste or was received.
 - Maintaining an inventory system on-site that identifies the date each aerosol can became a waste or was received.
 - Maintaining an inventory system on-site that identifies the earliest date that any aerosol cans in a group of aerosol cans or a group of containers of aerosol cans became a waste or was received.
 - Placing the aerosol cans in a specific accumulation area and identifying the earliest date that any aerosol cans in the area became a waste or were received.
 - Any other method which clearly demonstrates the length of time that the aerosol cans have been accumulated from the date they become a waste or are received.

Are there any additional considerations when it comes to managing waste aerosol cans?

Although uncommon, generators may elect to puncture and drain their waste aerosol cans. If the generator chooses to manage aerosol cans as universal waste and to also puncture and drain these cans, there are additional requirements that must be met. Please refer to the flow chart immediately following this fact sheet for more information. Alternatively, generators that choose to puncture and drain aerosol cans may opt to manage these aerosol cans as hazardous waste according to the management standards provided in Subchapter 3 of the VHWMR.

For more information regarding managing aerosol cans as universal waste, or if you have other hazardous waste management questions, please contact:

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^[1] Aerosol cans are considered empty when the product has been expelled from the can and only residue remains and the pressure in the can is at or very near atmospheric pressure at normal room temperature.

^[2] The handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid waste regulations. Solid waste is not regulated by the Vermont Hazardous Waste Program or the VHWMR.

^[3] Puncturing is not required. Handlers who do this must conduct puncturing and draining activities using a device specifically designed to safely puncture aerosol cans and effectively contain the residual contents and any emissions thereof.