

## DEPARTMENT OF HEALTH SERVICES

714/744 P STREET  
P.O. BOX 942732  
SACRAMENTO, CA 94234-7320  
(916) 322-3670



November 16, 1989

Ms. Caren Trgovcich, Coordinator  
Household Hazardous Waste Management Program  
California Waste Management Board  
1020 Ninth Street, Suite 300  
Sacramento, CA 95814

Dear Ms. Trgovcich:

## EMPTIED HOUSEHOLD AEROSOL CONTAINERS

Thank you for your letter dated September 19, 1989, requesting the Department of Health Services's (DHS) policy on emptied aerosol containers generated from households.

In general the DHS regulates the hazardous contents of containers. If a container held a hazardous material or waste, then the container is a hazardous waste unless no residue of the hazardous contents remains in the container. Aerosol containers pose a slightly different problem in that the contents may not only be hazardous, but also the pressurized aerosol container itself may be a hazardous waste. The aerosol container may exhibit the characteristic of reactivity pursuant to section 66705(a)(6), Title 22, California Code of Regulations (CCR) and to section 261.23 (a)(6), Title 40, Code of Federal Regulations. That is, the aerosol containers may be capable of an explosive reaction under a strong initiating force or when heated under confinement.

Section 66300(g), Title 22, CCR, states that emptied household hazardous materials and pesticide containers of one gallon or less which are drained until no continuous flow of liquid are not subject to the provisions in CCR. The DHS has attempted to clarify the interpretation of the underlined portion in regards to aerosol containers. The Statement of Reasons (SOR) for these regulations does not specifically address aerosol containers and we have been unable to determine the intent of this portion of regulations from the SOR in regards to aerosol containers.

Aerosol containers may not be within the scope of the exemption in section 66300(g), CCR, because aerosol containers cannot be emptied by draining until there is no continuous flow. In order for an aerosol container to meet the exemption in section 66300(g), there must be a means to drain an aerosol container; i.e., puncturing the container to allow drainage. Puncturing the container is contrary to its warning label which states that the

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contents of the container are under pressure and should not be punctured.

The DHS is currently developing regulations through our Resource Conservation and Recovery Act authorization project that will address household hazardous containers. It is our intent to include aerosol containers in the household hazardous materials exemption in these regulations. The projected time frame for adoption is in early 1990. Until the DHS has adopted new regulatory language addressing household hazardous materials, the interim policy is that aerosol containers generated from households may be managed as nonhazardous waste under the following conditions:

1. All contents (product and propellant) have been expended or used, and
2. The container interior has reached atmospheric pressure.

If you have any questions concerning this interim policy, please contact the Waste Evaluation Unit at the letterhead telephone number.

Sincerely,



Caryn Woodhouse  
Alternative Technology Division  
Toxic Substances Control Program

cc: see next page

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cc: Toxic Substances Control Program  
Region 1/Sacramento  
10151 Croydon Way  
Sacramento, CA 95827

Toxic Substances Control Program  
Region 2/Berkeley  
700 Heinz Avenue, Bldg. F  
Berkeley, CA 94710

Toxic Substances Control Program  
Region 3/Burbank  
1405 North San Fernando Boulevard  
Burbank, CA 91504

Toxic Substances Control Program  
Region 4/Long Beach  
245 West Broadway, Suite 360  
Long Beach, CA 90802

California Regional Water Quality Control Board  
North Coast Region  
1440 Guerneville Road  
Santa Rosa, CA 95403

California Regional Water Quality Control Board  
San Francisco Bay Region  
1111 Jackson Street, Room 6040  
Oakland, CA 94607

California Regional Water Quality Control Board  
Central Coast Region  
1102-A Laurel Lane  
San Luis Obispo, CA 93401

California Regional Water Quality Control Board  
Los Angeles Region  
107 South Broadway, Room 4027  
Los Angeles, CA 90012

California Regional Water Quality Control Board  
Central Valley Region  
3443 Routier Road  
Sacramento, CA 95827-3098

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California Regional Water Quality Control Board  
Lahontan Region  
2092 Lake Tahoe Boulevard  
P.O. Box 9428  
South Lake Tahoe, CA 95731

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-271 Highway 111, Suite 21  
Palm Desert, CA 92260

California Regional Water Quality Control Board  
Santa Ana Region  
6809 Indiana Avenue, Suite 200  
Riverside, CA 92506

California Regional Water Quality Control Board  
San Diego Region  
9771 Clairemont Mesa Boulevard, Suite B  
San Diego, CA 92124

CW:cy/ba

**CALIFORNIA WASTE MANAGEMENT BOARD**1020 NINTH STREET, SUITE 300  
SACRAMENTO, CALIFORNIA 95814

September 19, 1989

Ms. Corey Yep  
Department of Health Services  
Alternative Technology Section  
PO Box 942732  
Sacramento, CA 94234-7320

Dear Ms. Yep:

Thank you for taking the time to comment on our "Household Hazardous Waste--Aerosols" factsheet. Your suggestions will be reviewed and incorporated before the factsheet is published.

In your comments, you mentioned that empty aerosol containers cannot legally be disposed of in regular trash. We would appreciate a written statement briefly outlining DHS's policy regarding legal disposal of empty aerosol containers generated from households.

We would like to receive this documentation no later than **September 28, 1989** as we will be using this information for an EPA grant proposal due September 30, 1989. Please call Brenda Saldaña, 322-8748, if you have any questions. Thank you.

Sincerely,

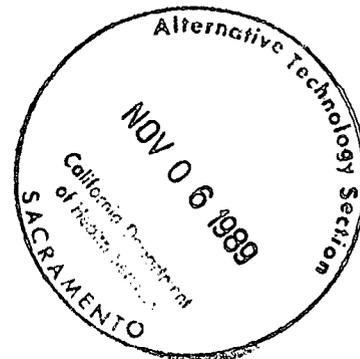
A handwritten signature in cursive script, appearing to read "Caren Trgovcich", is written over a horizontal line.

Caren Trgovcich, Coordinator  
Household Hazardous Waste Management Program  
California Waste Management Board

# Floridin

**Floridin Company**

Post Office Box 1489  
Van Alstyne, Texas 75095  
Telephone: 214-482-5177  
Customer Service: 800-258-2600  
FAX: 904-875-4408



November 1, 1989

California Department Health Services  
Toxic Substances Control Program  
Alternative Technological Division  
714/744 P Street  
Sacramento, California 94234-73200

Dear Sir:

Floridin Company and the IMV Division of Floridin Co. are involved in processing clay minerals used in drilling fluids. Specifically we mine and process attapulgite, sepiolite, bentonite, hectorite, and saponite. These clay minerals are used in either their material form or treated with a quaternary amine to form organoclays. It is our understanding that approval is needed for use and disposal of these products in the state of California.

It is our understanding that several of these clays and clay products are already on a list approved by the State. If products are not already on the list we understand that there is a fee to obtain approval. As soon as possible please provide Floridin with the list of drilling fluid products including clays and minerals that have approval for use in California. Also please provide information concerning the fee and process of having a product approved which is not currently on your approved list. If biological and analytical testing is needed please provide a list of state approved labs for such work.

Please send the requested information to the attention of Dan Stephens, Floridin Co., P.O. Box 1489, Van Alstyne, Texas 75095.

Thank you for your assistance and we look forward to your speedy reply.

Sincerely,

Dan Stephens

DS:tm

cc: Art Bloomfield  
Tom Powell