

Mr. John H. Hills, Manager

Environmental Services

City of Anaheim

P.O. Box 3222

Anaheim, CA 92803

DRAFT

OCT 06 1989



Dear Mr. Hills:

CLASSIFICATION ON EMPTY AEROSOL PAINT, AND SOLVENT CANS AND EMPTY CONTAINERS
PREVIOUSLY CONTAINED OIL, SOAPS, SOLVENTS OR DEGREASERS

Thank you for your received on September 25, 1989, requesting clarification from the Department regarding the State's disposal requirements for aerosol paint and solvent cans and other empty containers. For the sake of clarity, I have included your issues and our responses below:

1. AEROSOL PAINT CANS: Our Department generates empty spray cans which contained oil based paint. May these cans be managed as solid waste once the cans have been emptied and no longer spray?

Aerosol paint cans are usually pressurized and may exhibit the reactivity characteristics of Article 11, Title 22, California Code of Regulations (CCR). Therefore, you must handle these cans as hazardous waste. The City of Anaheim does not meet household exemptions for disposal of aerosol cans and thus, must store these cans in D.O.T. approved containers and dispose them in an approved Class I landfill.

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You may want to test these cans applying Article 11, CCR, criteria to find out if they can be classified non-hazardous. If you choose to cut open every aerosol can to relieve the pressure inside these cans and drain them completely, you need a permit to conduct this kind of treatment.

2. AEROSOL SOLVENT CANS: Our Department generates empty spray cans that may have contained any of the following: methyl ethyl ketone, methylene chloride, toluene, petroleum distillates, 1,1,1, trichloroethane, or oxylene. May these empty cans be managed as solid waste once the cans have been emptied and no longer spray?

The answer for this question is similar to the answer for question #1 above.

3. EMPTY CONTAINERS: Our Department generates empty containers ranging in capacity from one to fifty five gallons. These containers may have contained oil, soaps, solvents or degreasers. The five-gallon or less capacity containers are dry inside. All other empty containers usually contain residual amounts of material. Although the containers usually are returned to the supplier, there are circumstances when this is not possible. In these situations may these containers be managed as solid waste?

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Five gallons or less capacity containers which previously contained oil, soaps, solvents or degreasers and are drained of all free-flowing oil or dry inside could be managed as non-hazardous waste assuming the solvents were volatile, the cans were completely dry and the solvents contained no impurities which impart a hazardous residue in the cans. We would recommend you contact your local air quality management district for guidance if you are allowing the cans to dry by intentional aeration. In general, empty containers that does not contain hazardous residues may be disposed at Class III disposal sites (formerly called Class II-2), subject to concurrence from the appropriate Regional Water Quality Control Board.

Empty containers over five gallons capacity previously contained oil must be drained of all free-flowing oil and sent to a drum recycler. The classification of all other empty containers over five gallons capacity previously contained soaps, solvents or degreasers is dependant on whether a hazardous waste residue remains in the containers or not. The containers are classified as hazardous waste if they contain a hazardous waste residue pursuant to Article 11, OCR, criteria. No permit is required for the decontamination of these containers, however, the rinsate must be collected and analyzed and if it meets hazardous waste criteria must be recycled/disposed at an approved facility. If the containers are rinsed and or tested non-hazardous then you may send them to a drum recycler otherwise they need to be disposed in Class I Landfill.

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Finally, pursuant to Section 66471, OCR, it is the generator's responsibility to determine whether the waste generated is hazardous or not. It is not necessary to obtain the Department's concurrence of your determination according to Section 66305(b), OCR, which allows a generator to self-classify his waste. You may wish to contact the Waste Evaluation Unit of the Alternative Technology Division at (916) 324-1807 for further classification of Article 11 criteria. You may of course choose to handle any container as if it is hazardous waste. The Department actively promote alternative technologies such as the recycling of empty drums in lieu of land disposal. However, when unrinsed empty drums contain a residual of hazardous chemical the drums must be treated as a hazardous waste which among other things would require a manifest, transportation by a registered hauler and recycling or disposal at a permitted facility.

We hope our responses are helpful to you. If you have any questions concerning this letter, please contact Tayseer Mahmoud of my staff at (213) 590-4891.

Sincerely,

Mohinder S. Sandhu, P.E., Chief
Facility Permitting Unit

Mr. John J. Hills
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cc: Paul Blais, Chief

Hazardous Waste Management Section
Toxic Substances Control Program
714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320

Paula Rasmussen, Chief
Surveillance and Enforcement Unit
Toxic Substances Control Program
Region 4
245 West Broadway, Suite 350
Long Beach, CA 90802

~~Conny Yap~~ Caryn Woodhouse
Department of Health Services
Alternative Technology Division
Toxic Substances Control Program
714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320

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Mr. Robert E. Marryman, Director
Orange County Health Care Agency
Environmental Health
P.O. Box 355
1725 West 17th Street
Santa Ana, CA 92702

Regional Water Quality Control Board
Santa Ana Region (8)
6809 Indiana Avenue, Suite 200
Riverside, CA 92506

South Coast AQMD
2100 East Katella Avenue, Suite 200
Anaheim, CA 92806

TO: TSCD HDOYS L. PLAZA

OCT-06-89 FRI 08:44 1001 P-4 LONG BEACH TEL NO: 213 4936: 8-635-4942 P01

10-6
CALLED 10:09
3EH

TELEFAX TRANSMITTAL FORM

Toxic Substances Control Division
Region 4 - Long Beach

Telefax # ATSS 8-635-4936

Confirmation # ATSS 8-635-4926

TO: Corey Yep
CONTACT NO: 8-492-0274

DATE: 10-6-89
SUBJECT: Empty Aerosol cans
and containers letter
to city of Anaheim

FROM: Tayseer Mahmoud
CONTACT NO: 8-635-4891

REGIONAL/EXECUTIVE OFFICE _____
COMMUNITY RELATIONS _____
SITE MITIGATION UNIT _____
FACILITY PERMITTING UNIT _____
SURVEILLANCE & ENFORCEMENT UNIT _____
TECHNICAL & SUPPORT SERVICES UNIT _____

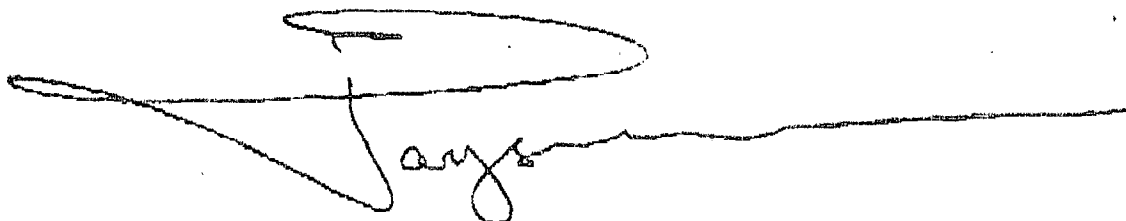
NO. OF PAGES: (INCLUDING COVER) 8

URGENT X
CONFIDENTIAL _____
INFORMATION _____

PLEASE COMMENT X
PER YOUR REQUEST _____
HAND CARRY _____

COMMENTS: We will be mailing this letter
to City of Anaheim on October 10, 1989.
If you have an opportunity to comment
on this letter, please share it with us.

Thank you very much





CITY OF ANAHEIM, CALIFORNIA

Public Utilities Department

Mr. John Kearns, Regional Administrator
Toxic Substances Control Program
State Department of Health Services
245 W. Broadway, Suite 350
Long Beach, CA 90802

Dear Mr. Kearns:

In our continuing efforts to comply with the laws and regulations governing the disposal of hazardous waste, the Anaheim Public Utilities Department requests clarification from your Department regarding the State's disposal requirements for the following wastes:

AEROSOL PAINT CANS: Our Department generates empty spray cans which contained oil based paint. May these cans be managed as solid waste once the cans have been emptied and no longer spray?

AEROSOL SOLVENT CANS: Our Department generates empty spray cans that may have contained any of the following: methyl ethyl ketone, methylene chloride, toluene, petroleum distillates, 1,1,1, trichloroethane, or oxylene. May these empty cans be managed as solid waste once the cans have been emptied and no longer spray?

EMPTY CONTAINERS: Our Department generates empty containers ranging in capacity from one to fifty five gallons. These containers may have contained oil, soaps, solvents or degreasers. The five gallon or less capacity containers are dry inside. All other empty containers usually contain residual amounts of material. Although the containers usually are returned to the supplier, there are circumstances when this is not possible. In these situations may these containers be managed as solid waste?

We would appreciate a written response with regards to these issues at your earliest convenience. If you have any questions regarding this matter contact Sharon Lien of my staff at (714) 520-6871.

Sincerely,


John J. Hill
Environmental Services Manager

JJH:ks

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(714) 999-5100
P. O. Box 3222, Anaheim, California 92803

RECEIVED

SEP 25 1989

89-0003

TOXIC SUBSTANCES CONTROL DIVISION
REGION 4
LONG BEACH