

Aerosol Cans: Guide to Handling and Disposal for Businesses Summary of Changes based on Public Comments

Thank you to the individuals and business that provided feedback on the Department of Natural Resources (Department) proposed revisions to the guidance titled “Aerosol Cans: Guide to Handling and Disposal for Businesses.”

Public comments were submitted via phone and email. The 21-day comment period began on January 27, 2016. Suggested clarifications or edits are summarized below:

- A request for clarification on containerization requirements for RCRA empty aerosol cans. Specifically, the question was whether they could be placed in smaller poly containers rather than solely 55-gallon drums.
- A request for revised language to recommend capping the waste aerosol cans prior to containerizing them.
- A request for clarification on whether the RCRA empty aerosol cans are allowed for disposal at Subtitle D landfills as this option was not discussed in the guidance. RCRA empty steel aerosol cans would be considered to have disposal restrictions based on 287.07(4) of the general statutes. The preferred management method for RCRA empty aerosol steel and aluminum cans is via recycling/reclamation as a scrap metal.
- A request for revision of the language under the “Waste generated during puncturing” heading on page 3 of the document. The request was to have language to address both hazardous and non-hazardous cans. The intent of the guidance was to address hazardous waste management specifically. Some additional clarification language was added throughout the document to emphasize this point.

The Department made the following changes based on the feedback:

- Revised language addressed both the capping of the aerosol can and the containerization requirements: *Replace the cap/cover on the can or remove the nozzle in order to decrease potential release of fluids and vapors. Place the can in a container that is structurally sound and compatible with the contents of the aerosol cans.*
- Added statement: *Landfill disposal restrictions apply to steel canisters. RCRA empty steel and aluminum cans should be managed as scrap metal* [new language is located in box under the “reducing hazardous waste” heading on the top of page 4].
- Revised language to “wastes generated during puncturing”: *Waste generated from puncturing hazardous waste aerosol cans, including residues or filters, will likely be hazardous waste and must be characterized, managed, and counted accordingly. It is recommended that the facility document (i.e. waste codes, chemicals) the wastes collected during puncturing in order to accurately manage the wastes and avoid potential violations of land disposal restrictions or shipping requirements.*

The DNR made minor changes to the guidance based on the comments received. The final guidance was issued in May, 2015.

If you have any questions, please contact Andrea Keller at (608) 297-3132 or andrea.keller@wisconsin.gov.



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February 15, 2016

Submitted Electronically
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RE: Proposed WDNR Guidance related to Aerosol Cans

Dear Ms. Keller:

Wisconsin Electric Power Company and Wisconsin Gas LLC (d.b.a. We Energies) and Wisconsin Public Service Corporation (WPS), subsidiaries of WEC Energy Group, Inc., submit these comments in response to the Wisconsin Department of Natural Resources (WDNR) proposed guidance regarding Aerosol Cans: Guide to Handling and Disposal for Businesses.

We Energies and WPS serve more than 1.5 million electric customers in Wisconsin and Michigan's Upper Peninsula and 1.4 million natural gas customers in Wisconsin. Combined, the utilities' distribution system includes approximately 67,000 miles of electric distribution lines and 29,000 miles of gas main throughout the state of Wisconsin. We Energies and WPS use various types of aerosol cans for construction and maintenance activities on a daily basis. One of the largest uses for aerosol cans is marking paint used to indicate underground utility lines. For example in 2015 WPS used approximately 50,000 aerosol cans of marking paint.

The following comments are based on our experience with managing aerosol cans and using a can puncturing unit.

Managing aerosol cans that are RCRA empty

The guidance document states "Remove the nozzle and place the can in a container that is in good condition, such as a 55-gallon U.S. DOT-approved metal drum." We suggest this be replaced with "Replace cap/cover on can and place the can in a container that is structurally sound."

Removing the nozzles and placing inside a 55-gallon drum may expose employees to unnecessary safety risks such as the drum tipping over while reaching inside to pull the empty cans out or the accidental release of product from the exposed stem. Storing the RCRA empty aerosol cans with the covers replaced in the original shipping boxes has proven efficient and employees are able to safely remove the cans from the boxes for puncturing.

Managing aerosol cans that are not RCRA empty

The guidance document states "Remove the nozzle and place in a leak-proof metal container that is in good condition, such as a 55-gallon U.S. DOT-approved metal drum." We suggest this be replaced with "Replace cap/cover on can and place in a container that is structurally sound, and compatible with the contents of the aerosol cans."

Removing the nozzles and placing inside a 55-gallon drum may expose employees to unnecessary safety risks such as the drum tipping over while reaching inside to pull the empty cans out or the accidental release of product from the exposed stem. While cans are stored in a drum with exposed stems the non-empty cans could release product resulting in free flowing liquid at the bottom of the container.

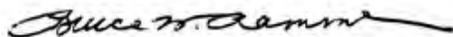
Waste generated during puncturing

The guidance document states "Residuals and filters generated during the puncturing of hazardous waste aerosol cans must be managed, characterized and counted as hazardous waste. It is recommended that the facility track (log) what chemicals (and associated waste codes) are collected during puncturing in order to accurately manage the wastes and avoid potential violations of land disposal restrictions or shipping requirements." We suggest this be replaced with "Waste generated from puncturing waste aerosol cans, including residues removed from those cans or filters, may be hazardous waste. Any waste generated must be properly characterized and should be managed accordingly to avoid potential violations of land disposal restrictions or shipping requirements."

This section of the guidance would be more helpful if it addressed both hazardous and non-hazardous cans. The original statement addresses only hazardous waste aerosol cans and the suggested revision addresses the broader waste aerosol cans. In addition it clearly states any wastes must be properly characterized which allows the generator to use an appropriate method to characterize the waste specific to their operation.

The above comments are provided to address potential safety and operational concerns. If you have any questions regarding the comments, please contact Ms. Stacy Brault at 920-433-1780 or SABrault@integrys.com.

Sincerely,



Bruce W. Ramme, Ph.D., P.E.
Vice President - Environmental