
Disposal of Paints, Solvents and Paint-Related Wastes

40 CFR 261.7

Do these regulations apply to my operation?

These disposal recommendations may be useful if your facility generates waste paints, solvents and related waste materials.

Conventional Empty Containers

Containers with no more than 2.5cm (1in) of residue remaining on the bottom of the container or less than 3% of the original material (by weight) are considered “empty” and are exempt from hazardous waste regulation.

DISPOSAL RECOMMENDATIONS FOR “EMPTY” CONTAINERS

- Return to vendor/supplier,
- Recycle through an area scrap metal or plastics recycler, or
- If other options are not possible, dispose in the landfill. Special Waste Authorizations (SWAs) are not required for empty containers.

Empty Aerosol Cans

Aerosol cans that contain less than 3% by weight of the original material/propellant and the pressure in the container approaches atmospheric are considered “empty” and are therefore exempt from hazardous waste regulation.

DISPOSAL RECOMMENDATIONS FOR “EMPTY” AEROSOL CANS

- Recycle “empty containers” through a scrap metal dealer that accepts aerosol cans,
- Dispose through an EPA-compliant Universal Waste management company, or
- If other options are not possible, dispose of in the landfill. SWAs are not required for “empty” containers.

DISPOSAL RECOMMENDATIONS FOR AEROSOL CANS CONTAINING HAZARDOUS RESIDUAL MATERIAL

- Dispose of through an EPA-compliant Universal Waste management company, or
- Manage cans as hazardous waste.

Aerosol evacuation and material recovery devices are available that can be used on-site to recover contents and render the can empty. Contact the Iowa Waste Reduction Center (IWRC) for more information.

Excess Paint, Solvents and Usable Materials

Paints, solvents, and related material unfit for resale, such as paint mixed incorrectly or products missing labels, are not considered hazardous waste if it can still be used for its intended purpose.

RECOMMENDATIONS

- Make sure cans are labeled with the type of material if the original label is missing.
- Keep an inventory of all materials that could be reused.
- Contact local non-profit programs (community playhouses, shelters, churches, and service organizations) that may be able to use materials. Ask them to pick up materials and donate it for no charge.
- Contact [Regional Collection Center](#) reuse stores.
- Provide a dated receipt and maintain a copy, which includes a list of materials accepted by the non-profit organization. (Law does not require this; however, it does help prove that the material changed hands).

*Excess paint, solvents, and related material cannot be evaporated or allowed to cure in open air. This is considered **illegal treatment** of hazardous waste.*

Waste Paint and Solvent

According to EPA regulations, waste generators must determine if their wastes are hazardous or non-hazardous. Waste paints and solvents (excess mixed paint, spent cleaning solvents, etc.) are likely hazardous due to ignitability, toxicity, and/or specific listings. A hazardous waste generator must determine its monthly hazardous waste generation rate and on-site storage quantity. Maintaining a hazardous waste inventory is recommended. From this inventory, the facility should determine which set of hazardous waste requirements is applicable. The EPA defines three sets of hazardous waste generator requirements based on the amount of hazardous waste generated per month and stored on-site at any given time. These generator categories are covered in a separate summary available from the IWRC.

DISPOSAL RECOMMENDATIONS FOR WASTE PAINT AND SOLVENTS

Hazardous paint/solvent waste must be disposed of off-site by an EPA-permitted hazardous waste management company or distilled and reused on-site. (Note – distillation residue (i.e., still bottoms) may be considered hazardous and, thus, require off-site disposal as hazardous waste. Contact the IWRC for additional guidance).

If the facility is a Very Small Quantity Generator (VSQG), hazardous waste may be disposed of at a state-recognized household hazardous waste regional collection center or Toxic Clean-up Day. Facilities considered SQGs and LQG should comply with other applicable requirements summarized at <https://iwrc.uni.edu/environmental-assistance/regulatory-information/hazardous-waste>.

Paint-Contaminated Wastes

As discussed previously, waste generators must determine if their wastes are hazardous or non-hazardous. Paint-contaminated wastes including masking, overspray/floor sweepings, rags, and paint booth exhaust filters may be hazardous because paint contains solvents and possible toxic heavy metals.

A [Toxicity Characteristic Leaching Procedures \(TCLP\) test](#) can determine if a paint-contaminated type waste is hazardous or non-hazardous.

DISPOSAL RECOMMENDATIONS FOR *HAZARDOUS* PAINT-CONTAMINATED WASTES

Generally, hazardous waste must be disposed of off-site by an EPA-permitted hazardous waste management company. If the facility is a VSQG, the hazardous waste may be disposed of at a state-recognized household hazardous waste regional collection center. These wastes must also be included in the inventory mentioned above and used in determining which generator category applies to the facility. **Many other storage and handling requirements apply.** Please contact the IWRC at 319-273-8905 for the requirements based on the hazardous waste generator categories listed in the waste paint and solvent section.

DISPOSAL RECOMMENDATIONS FOR *NON-HAZARDOUS* PAINT CONTAMINATED WASTES

- Do a TCLP test to verify the wastes are non-hazardous.
- Keep a copy of the TCLP test results for your records.
- Complete an SWA and submit it to the local landfill authority and the DNR with a copy of TCLP results.
- Follow all packaging and disposal requirements established by DNR and/or the local landfill authority.
- Dispose of as non-hazardous through a reputable commercial waste management company.

*The Iowa Waste Reduction Center can assist your small business.
Please contact the IWRC at 319-273-8905 for free, non-regulatory and confidential environmental assistance.*