

Draft Notes
NEWMOA Hazardous Waste Conference Call
November 8, 2011

Topic: Management of Used Propane Tanks

Participating states: ME, MA, NH, NYS, VT, & EPA Region 1

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The issue of managing propane tanks has come to the forefront because of recent flooding and other extreme weather events that have caused an increase in the number of tanks needing disposal. Tanks have been swept up in the flood waters creating a potential hazard. The need for proper disposal options for these tanks has become more apparent under these circumstances.

New Hampshire: NH DES proposed this topic for a conference call because the Agency in partnership with other State agencies is in the process of developing and proposing guidelines for the proper handling of used propane tanks. Commercial generators of propane tanks that have residual compressed gases or that cannot be fully emptied due to damage must be handled as a hazardous waste under RCRA as a D001. Some solid waste facilities handling tanks from homeowners have been seen flaring off the residual propane.

State officials have raised questions about the requirements to properly de-valve a tank. They are seeing a lot of issues at transfer stations related to the used tanks. Transfer station operators have been given de-valve equipment and told to remove valves by supervisors. This situation has created Department of Safety concerns, and raised a question about the need for proper training.

NH DES, Department of Safety, Fire Marshall, and Department of Labor have been meeting and developing best management practices (BMPs). They have a draft of the BMPs that are close to being finalized. They would be willing to share the drafts of the materials with the group for discussion and comment.

Massachusetts: MassDEP has no major issues with propane tank management and provided the guidance they have on the State web site. They shared this guidance with Terri, and she agreed to send it out to the group.

New York: The spent tanks do not meet the RCRA empty container rule because they never meet atmospheric pressure required under RCRA. This because the tanks retain a certain amount of pressure to ensure there is no back flow through the valve.

In addition to the D001 RCRA code, there is a definite possibility that these tanks fit under D003 since there is mercaptan present to help alert people of any leaks. Vendors have told NYS DEC staff that a 10-year old refillable tank can have as much as a quart of mercaptan oil remaining in the bottom, and that the liquid sloshing around in a returned propane tank is accumulated mercaptan oil. If the liquid is mercaptan rather than propane, this jeopardizes the potential cure-all remedy of the vendor simply bleeding the liquid off and using it as a heating fuel for their building.

The household exemption would apply to tanks generated by households and disposed by them. NYS does not see the HHW exclusion as applying very often to a returned propane cylinder because of EPA's requirement that the waste be generated at the household, and propane in a cylinder being returned for refilling isn't a generated waste until the vendor encounters it at his business location.

Venting propane is considered a trivial activity under NY air regulations. However, this activity may be considered a form of hazardous waste treatment, such as volume reduction. However, there is an argument that the treatment is exempt since the metal is destined for recycling. That argument would not appear to have much merit, but at this point they have not yet completely dismissed it.

New York State has not posted any guidance or best management practices (BMPs) online.

Vermont: No guidance available from the solid waste program. Solid waste facilities are operated by districts. The collected tanks are sent off to vendors for proper handling. Tanks have been seen coming through scrap yards with valves removed.

Maine: Certain vendors will take tanks back from local residence. Some commercial entities depressurize one pound tanks and throw in metal scrap. They have asked about manufacturer take back programs for one pound tanks and found that there is nothing out there at this point.

EPA: No information available on propane tanks from EPA.

Others: Connecticut has fairly detailed guidance on their web site. Terri will send out information.

The Product Stewardship Institute (PSI) had a propane tank initiative to engage manufacturers in helping to address the problem a few years ago. Terri will look up and share available information on this effort with the group.

Next Steps:

- Terri will share via email the guidance she has received from Mass DEP and CT DEP and any other states that share materials
- Terri will share via email a link to the available information on PSI propane tank initiative from a few years ago
- NH DES will share a draft of their guidance/BMPs when they are out for public comment with the NEWMOA Hazardous Waste Training Workgroup for review and discussion
- Once the NH guidance is available, NEWMOA will explore the possibility of holding a combined webinar / conference call meeting of the Solid Waste and the Hazardous Waste Training Workgroups to continue discussing the issues