

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P STREET, 4TH FLOOR

P.O. BOX 806

SACRAMENTO, CA 95812-0806

(916) 322-1003



March 20, 1996

Mr. J. Oliver
Kamps Propane
9811 E. Moffat Boulevard
Manteca, California 95336-9702

RECYCLING OF UNUSED PROPANE GAS AND EMPTY PROPANE CYLINDERS

Dear Mr. Oliver:

This is in response to your letter of March 1, 1996 to Mr. Norman Riley, in which you described an operation for the recovery of unused propane gas left in disposable propane cylinders. You propose to recover the gas from the cylinders through gravity draining and differential pressure, and resell the gas as a heating fuel. The empty cylinders will be cut in half and sold as scrap metal to metal recyclers.

Based on the information you provided us, we consider the unused propane to be a surplus material as defined in section 66260.10, Title 22, of the California Code of Regulations (22 CCR). Essentially, a "surplus material" is an unused raw material or commercial product obtained by a person who intended to use or sell it, but who no longer needs it, and who transfers ownership of it to another person for use in a manner for which the material or product is commonly used. The Department of Toxic Substances Control (DTSC) does not regulate surplus materials, pursuant to 22 CCR, section 66266.6(a)(2).

Furthermore, pursuant to 22 CCR, section 66261.7(1), a compressed gas cylinder is exempt from hazardous waste regulation when the pressure in the container approaches atmospheric pressure.

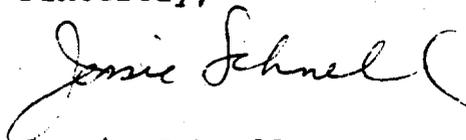
In conclusion, your proposed recovery of unused propane from disposable propane cylinders, and the subsequent resale of the gas will not need DTSC authorization. Cutting and recycling of the empty cylinders will also not require DTSC authorization if the cylinders are empty to the extent that the pressure in the containers approaches atmospheric pressure.



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If you have any questions, please feel free to contact me at
(916) 322-1003.

Sincerely,



Jessie Schnell
Resource Recovery Section

cc: Mr. Ronald Valinoti, Director
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Environmental Health Division
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Mr. Larry Matz, Chief
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Mr. Norman Riley, Chief
Resource Recovery Section
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