



ADVISORY ON HANDLING AND MANAGEMENT OF ALCOHOL-BASED HAND SANITIZER

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The Coronavirus Disease 2019 pandemic (COVID-19) triggered the need for large volumes of alcohol-based hand sanitizer for businesses, schools, and other entities across California. Some of these entities procured alcohol-based hand sanitizer in excess of need and could not consume or manage the excess material. These hand sanitizers generally have a high alcohol content (at least 60%), and many of these products have expired. Alcohol-based hand sanitizers are considered a hazardous material, and additionally, an ignitable hazardous waste (D001) under the Resource Conservation and Recovery Act (RCRA) once they are discarded or no longer usable for their intended purpose. The United States Environmental Protection Agency (U.S. EPA) has issued several memoranda providing guidance on RCRA management of excess alcohol-based hand sanitizer on their [“How to Dispose of and Recycle Alcohol-Based Hand Sanitizer”](#) webpage.

This advisory document supplements U.S. EPA guidance memoranda and is intended to provide guidance under California state law regarding the proper management of alcohol-based hand sanitizer as a hazardous material and/or a hazardous waste. It is not a rule or regulation and does not replace or supersede applicable statutes or regulations.

REQUIREMENTS FOR THE HANDLING OF ALCOHOL-BASED HAND SANITIZER AS A HAZARDOUS MATERIAL

In California, alcohol-based hand sanitizers¹ are generally considered a hazardous material as defined in Health and Safety Code (HSC) [section 25501, subdivision \(n\)\(1\)](#). Hazardous materials are subject to regulation under the Hazardous Materials Business Plan (HMBP) Program.

A business that handles alcohol-based hand sanitizer or expired alcohol-based hand sanitizer may be required to submit a business plan if the business meets any of the conditions in [HSC section 25507](#). In general, if a business handles 55 gallons or more of liquid (or gel) alcohol-based hand sanitizer at any one time, the business must submit

¹ Alcohol-based hand sanitizers can include products that contain isopropyl alcohol or ethyl alcohol.

a business plan. This includes any alcohol-based hand sanitizer managed as a hazardous waste as specified on the following page. Business plans are submitted electronically via the [California Environmental Reporting System \(CERS\)](#) and must contain specific information as detailed in [HSC section 25505, subdivision \(a\)](#), including:

- An inventory of hazardous materials at a facility;
- An emergency response plan and procedures to be followed in the event of a release or threatened release of a hazardous material;
- Requirements to train employees in safety procedures in the event of a release or threatened release of a hazardous material; and
- A site map.

A business that sells alcohol-based hand sanitizer as a consumer product at a retail establishment may be exempt from submitting a business plan if the consumer product exemption requirements are met ([HSC section 25507, subdivision \(b\)\(5\)](#)). Unified Program Agencies (UPAs), which are generally city or county health departments or fire departments, implement the HMBP Program at the local level. The UPA may regulate hazardous materials, including alcohol-based hand sanitizer, below State thresholds and/or have reporting requirements in addition to the State HMBP requirements. A business may locate and contact its UPA using the [Unified Program Regulator Directory](#).

LAWS AND REGULATIONS CONCERNING THE MANAGEMENT OF ALCOHOL-BASED HAND SANITIZER AS A HAZARDOUS MATERIAL

California laws and regulations governing the management of alcohol-based hand sanitizer as a hazardous material are found in HSC, Division 20, Chapter 6.95, and in Title 19 of the California Code of Regulations (19 CCR). Specific statutes and regulations regarding these matters include, but are not limited to, the following:

- HSC [sections 25500 – 25519](#); and
- 19 CCR [sections 5010.1 – 5040.2](#).

REQUIREMENTS FOR MANAGEMENT OF ALCOHOL-BASED HAND SANITIZER AS A RETROGRADE MATERIAL OR HAZARDOUS WASTE

Federal and State regulations require proper handling, transportation, storage, treatment, and disposal of alcohol-based hand sanitizer. U.S. EPA has issued four memoranda – [June 2021](#), [February 2022](#), [November 2022](#), and [May 2023](#) – regarding

the disposal of alcohol-based hand sanitizer.² The memoranda describe the ways in which requirements of Federal law apply to waste alcohol-based hand sanitizer. California has additional requirements for the management of hazardous waste that are not addressed in the U.S. EPA memoranda.³

PROHIBITIONS FOR ALCOHOL-BASED HAND SANITIZER

- Do not pour alcohol-based hand sanitizer down the drain, in the garbage, or dispose of it on the ground. Both Federal and State law prohibit disposal of alcohol-based hand sanitizer in these ways because they are potentially harmful to public health, safety, and the environment. Illegal disposal of alcohol-based hand sanitizer may result in administrative, civil, or criminal penalties.
- Do not attempt to store alcohol-based hand sanitizer indefinitely. Federal and State law place limits on how long alcohol-based hand sanitizer can be stored at any location before it must be recycled or disposed of. The limits on storage vary depending on the particular circumstances.

Regardless of whether the alcohol-based hand sanitizer is in bulk or packaged for retail use, the requirements regarding its proper management as a hazardous waste remain the same.

MANAGEMENT OPTIONS

The three options for managing waste alcohol-based hand sanitizer are managing it as a retrograde material, recycling it, or disposing of it as hazardous waste.

- Retrograde Material: If the alcohol-based hand sanitizer is returned to and accepted by its original manufacturer or owner within one year of its expiration date, it is considered a “retrograde material” and not a hazardous waste. Retrograde material can be returned to the original manufacturer or owner using any carrier authorized by law to transport hazardous materials.
- Recycling: If the alcohol-based hand sanitizer is not sent back to the original manufacturer within one year of its expiration date, it will be considered a hazardous waste. However, generators can choose to recycle their waste ethyl alcohol-based hand sanitizer under the [Industrial Ethyl Alcohol Exemption](#), which will exempt them from most hazardous waste requirements when they [legitimately recycle](#) their waste ethyl alcohol-based hand sanitizer at a recycling

² If U.S. EPA issues additional memoranda on this matter, CalEPA and DTSC may revise this guidance to remain consistent with applicable U.S. EPA requirements.

³ Federal hazardous waste laws are applicable throughout the United States. State laws and regulations may impose more stringent requirements and may apply more broadly than Federal laws and regulations. Businesses and other entities are responsible for determining which specific laws apply to them.

facility permitted by the Federal Alcohol and Tobacco Tax and Trade Bureau.

It is worth noting that the Industrial Ethyl Alcohol Exemption does not apply to hand sanitizers containing isopropyl alcohol, so it is imperative to check the label. However, isopropyl alcohol-based hand sanitizer can be excluded from classification as a hazardous waste if certain conditions for recycling are met. These conditions, established for generators under [HSC section 25143.2](#) include, but are not limited to, utilizing facilities that are allowed by law to accept and process the waste to recover the alcohol, and ensuring that the products produced from the recycled isopropyl alcohol-based hand sanitizer are not applied to land or burned for energy recovery. In addition, there are certain requirements regarding storage, labelling, transportation, and record-keeping or reporting for waste isopropyl alcohol-based hand sanitizer that is to be recycled. These requirements vary depending on the quantity of the waste to be recycled, and where and when the waste is to be recycled. DTSC or your UPA can help you identify which requirements apply to your situation.

Other options for recycling the waste isopropyl alcohol-based hand sanitizer that do not meet the conditions of HSC section 25143.2 are allowed. However, these are not excluded from State hazardous waste laws and are thus fully regulated as hazardous waste.

- Disposal: If you choose not to recycle your waste alcohol-based hand sanitizer, it must be properly managed as a hazardous waste and must be disposed of at a facility permitted to receive hazardous waste for disposal. This option is usually more costly than recycling, and there are specific requirements associated with this alternative. For example, businesses that choose to dispose of alcohol-based hand sanitizer must use a [registered hazardous waste transporter](#) to ensure it reaches a permitted treatment, storage, or disposal facility authorized to receive the hazardous waste.

LAWS AND REGULATIONS CONCERNING THE RECYCLING AND DISPOSAL OF ALCOHOL-BASED HAND SANITIZER

California laws and regulations governing the recycling and disposal of alcohol-based hand sanitizer are found in [HSC, Division 20, Chapter 6.5](#), and in [Title 22 of the California Code of Regulations](#) (22 CCR). Specific statutes and regulations regarding these matters include, but are not limited to, the following:

- HSC sections [25113](#), [25120.5](#), [25121.5](#), [25124](#), [25143.2](#), [25143.9](#), and [25143.10](#);
- 22 CCR sections [66261.2](#), [66261.3](#), [66261.6](#), and [66261.21](#);
- [Generator requirements](#) are found in 22 CCR sections 66262.10 through 66262.89; and

- [Transporter requirements](#) are found in 22 CCR sections 66263.10 through 66263.46.

CONTACT INFORMATION

- If you have any questions regarding the handling of alcohol-based hand sanitizer as a hazardous material, please contact CalEPA at HMBP@calepa.ca.gov.
- If you have any questions or need further clarification on how to submit a business plan to CERS, please contact your UPA using the [Unified Program Regulator Directory](#).
- If you have any questions regarding the management of alcohol-based hand sanitizer as a hazardous waste, please contact DTSC's [Regulatory Assistance Office](#).