# TWO MINUTE TRAINING

**TO:** *CH2M HILL PLATEAU REMEDIATION COMPANY*

**FROM:** *PAUL W. MARTIN, RCRA Subject Matter Expert*
*CHPRC Environmental Protection, Hanford, WA*

**SUBJECT:** *SPENT LEAD-ACID BATTERIES AND ACCUMULATION TIME LIMITS*

**DATE:** *FEBRUARY 22, 2018*

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# TWO MINUTE TRAINING

**SUBJECT:** Spent Lead-Acid Batteries and Accumulation Time Limits

**Q:** A customer is accumulating spent-lead acid (SLA) batteries for eventual offsite shipment to a lead-acid battery reclaimer. The customer is also accumulating other non-lead-acid batteries as universal wastes for eventual offsite shipment to a universal waste recycler. The customer is very aware that the universal waste batteries have a 1 year accumulation time limit and must be marked with a date that accumulation started. However, the customer has become uneasy that the SLA batteries are not marked with an accumulation start date. So, is there an accumulation time limit for SLA batteries like there is for universal waste batteries?

**A:** It depends.

If the spent lead acid batteries are being managed per WAC 173-303-520, "Special requirements for reclaiming spent lead-acid battery wastes" *[40 CFR 266.80]*, then the SLA batteries are not subject to accumulation time limits or accumulation date markings. However, if the SLA batteries are being managed per WAC 173-303-573, "Standards for universal waste management" *[40 CFR 273]*, then the SLA batteries are subject to a 1 year accumulation time limit, the accumulation date markings, and all other universal waste requirements.

Fortunately, SLA batteries have the option to be managed as either SLA batteries or as universal wastes. The SLA battery relief was promulgated before the universal waste requirements and EPA stated that since the SLA battery reclamation process has been working so well, SLA batteries could be managed under either system. In the customer's case, they have chosen to manage the SLA batteries per WAC 173-303-520 and therefore are not subject to an accumulation time limit.

Basically, SLA battery generators - who do not reclaim - are not subject to generator, transporter, interim status, permitted status, land disposal restrictions, or permitting requirements. About the only requirements for SLA battery generators are to determine if the SLA batteries are solid waste (yes since "spent") and then, if hazardous wastes (yes for lead – D008, and acid – D002).

**SUMMARY:**

- Spent lead-acid batteries can be managed as spent lead-acid batteries or as universal wastes.
- If managed as universal waste, the accumulation time is limited to 1 year.
- If managed as spent lead-acid batteries, the accumulation time is not limited.

Excerpts from WAC 173-303-520 are attached. If you have any questions, please contact me at Paul_W_Martin@rl.gov or at (509) 376-6620.

## TWO MINUTE TRAINING – ATTACHMENT

**SUBJECT:** Spent Lead-Acid Batteries and Accumulation Time Limits

### WAC 173-303-520 Special requirements for reclaiming spent lead acid battery wastes.

This section applies to persons who reclaim (including regeneration) spent lead-acid batteries that are recyclable materials ("spent batteries"). (Also, see WAC 173-303-120(3).)

(1) Persons who generate, transport, or collect spent batteries, who regenerate spent batteries, or who store spent batteries but do not reclaim them (other than spent batteries that are to be regenerated) are subject only to the requirements of WAC 173-303-016 through 173-303-161 except for 173-303-060, and WAC 173-303-960 if such spent batteries are going to a battery reclaimer. Persons who reclaim spent batteries through regeneration (such as by electrolyte replacement) are not subject to 40 C.F.R. Part 268, which is incorporated by reference at WAC 173-303-140 (2)(a).

*[Skipped exporter regulations in paragraphs (a) and (b)]*

(2) Owners and operators of battery reclaiming facilities that store spent lead acid batteries prior to reclaiming (other than spent batteries that are to be regenerated) them are subject to the following requirements:

(a) For all reclaimers, the applicable storage provisions of:

(i) WAC 173-303-280 (2) and (3);
(ii) WAC 173-303-282;
(iii) WAC 173-303-283;
(iv) WAC 173-303-290;
(v) WAC 173-303-310 through 173-303-360;
(vi) WAC 173-303-380;
(vii) WAC 173-303-390 (2) and (3);
(viii) WAC 173-303-395; and
(ix) WAC 173-303-800 through 173-303-840.

(b) For reclaimers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 C.F.R. Part 265;

(c) For reclaimers with final facility permits, the applicable storage provisions of:

(i) WAC 173-303-600 through 173-303-650; and
(ii) WAC 173-303-660.

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### WAC 173-303 – Dangerous Waste Regulations
(Specific excerpts applicable to spent lead-acid batteries)

Section 016 Identifying solid waste
Section 017 Recycling processes involving solid waste
Section 020 Applicability
Section 030 Abbreviations
Section 040 Definitions
Section 045 References to EPA's hazardous waste and permit regulations
Section 050 Department of ecology cleanup authority
~~Section 060 Notification and identification numbers~~ (not applicable)
Section 070 Designation of dangerous waste
Section 071 Excluded categories of waste
Section 072 Procedures and bases for exempting and excluding wastes
Section 073 Conditional exclusion of special wastes
Section 075 Certification of designation
Section 077 Requirements for universal waste
Section 080 Dangerous waste lists
Section 081 Discarded chemical products
Section 082 Dangerous waste sources
Section 083 Deletion of certain dangerous waste codes following equipment cleaning and ...
Section 084 Reserved
Section 090 Dangerous waste characteristics
Section 100 Dangerous waste criteria
Section 102 Reserved
Section 104 State-specific dangerous waste numbers
Section 110 Sampling, testing methods, and analytes
Section 120 Recycled, reclaimed, and recovered wastes
Section 130 Containment and control of infectious wastes
Section 140 Land disposal restrictions
Section 141 Treatment, storage, or disposal of dangerous waste
Section 145 Spills and discharges into the environment
Section 150 Division, dilution, and accumulation
Section 160 Containers
Section 161 Overpacked containers (labpacks)

Section 960 Special powers and authorities of the department

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9593.1995(01)

Hotline Questions and Answers

December 1995

1. Lead-Acid Batteries and Universal Waste

How do the Part 273, Standards for Universal Waste Management, affect the management of lead-acid batteries regulated under the Part 266, Subpart G, regulations for spent lead-acid batteries being reclaimed?

Lead-acid batteries that are managed under Part 266, Subpart G, are not subject to the universal waste management standards. The universal management standards only apply to those lead-acid batteries that are not managed under Part 266, Subpart G. The existing recycling program for automotive lead-acid batteries has been extremely successful, with recycling rates in excess of 90 percent nationwide. By retaining the Part 266, Subpart G, requirements, EPA can continue to operate this program without modification or adverse effect on the environment. EPA expects that most non-automotive lead-acid batteries will be managed under Part 273 (60 FR 25492, 25505; May 11, 1995).

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