

9441.1986(56)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUL 28 1986

Mr. Robert D. Westbrook  
Westbrook and Williams, Inc.  
402 N. 3rd Street  
Sterling, Colorado 80751

Dear Mr. Westbrook:

This is in response to your letter of February 18, 1986, in which you request that I confirm that your recycling business (i.e., the purchasing of used junk lead-acid batteries for recharge and resale as a reconditioned battery) is currently exempt from the federal hazardous waste rules. First, I would like to apologize for taking so long in responding to your request; I hope this delay has not caused you any problems.

With respect to your specific request, I agree that the way you regenerate used batteries is exempt from the federal hazardous waste rules (see §261.6(a)(3)(ii)).<sup>1/</sup> The Agency believes that this practice presents minimal environmental risk and is very similar to the reclamation of commercial chemical products, an activity not currently regulated.

Please feel free to give me a call if I can be of any further assistance; my telephone number is (202) 475-8551.

Sincerely,

Matthew A. Straus  
Chief  
Waste Characterization Branch

cc: Regional Branch Chiefs (Regions I-X)

1/ It should be noted that this regulatory interpretation reflects the federal hazardous waste rules. The State of Colorado may take a different interpretation under their regulations.

RO 11167