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## RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JANUARY 87

### 1. Spent Lead Acid Batteries

The owner/operator of a facility that collects spent lead acid batteries drains the acid and then manifests the acid off-site for reclamation. The battery shell, which still contains the lead plates, is sent to a facility that extracts the lead for smelting. Should these battery shells when sent off-site, be managed as EP Toxic hazardous waste or as spent lead acid batteries subject to Subpart G of 40 CFR 266?

First, the material is classified as a solid waste after the acid is drained. Second, either a "spent lead acid battery" or a battery shell must exhibit a characteristic of hazardous waste to be a hazardous waste in the Subtitle C system. Assuming the battery case exhibits a characteristic of hazardous waste generator because he generates spent acid which exhibits the characteristics of corrosivity. The act of draining the batteries, however, is not considered part of the reclamation process. Therefore, the owner/operator would not be subject to the requirements of 266.80(b), for example, notification, contingency planning, closure, and all other applicable provisions 40 CFR Part 264.

However, the facility that cracks the battery to remove the lead plates will be subject to these provisions of 40 CFR 266.80(b).

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