

9497.1989(03)

RECYCLING OF LEAD-ACID BATTERIES

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

NOV 17 1989

Jean M. Beaudoin, Chairperson  
BCI Environmental Committee  
Fox, Weinberg and Bennett  
750 17th Street, Northwest  
Washington, D.C. 20006

Dear Ms. Beaudoin:

Thank you for your October 24, 1989, letter concerning the impact of the Land Disposal Restrictions (LDR) on the recycling of lead-acid batteries. The Agency encourages the recycling of solid waste and believes it is important for preserving resources and can prevent environmental degradation. Thus, we strongly support the reclamation of lead-acid batteries.

Restricted wastes may be stored on the land in tanks or containers (i.e., land disposed) without meeting treatment standards, provided it is done solely with the intent of accumulating such quantities of hazardous waste is necessary to facilitate proper recovery, treatment or disposal. In addition, this storage must comply with all other applicable storage standards such as those relating to secure storage, secondary containment in some instances, and other requirements. (See 40 CFR 268.50.)

The Agency has indicated in a previous rulemaking that the shell surrounding a lead-acid battery is considered to be a container (see 47 FR 12318, March 22, 1982; see also 40 CFR] 264.314 (d)(3)). Thus, to the extent that lead-acid battery storage meets all the conditions set forth in the LDR storage prohibitions at 40 CFR 268.50, such storage is permissible.

We are including your letter in the Third Third Rule Docket and will specifically address any issues it raises in our Response to Comments Background Document.

RO 13339

Sincerely,

Original Document signed

Sylvia Lowrance  
Director  
Office of Solid Waste