

RCRA, SUPERFUND & EPCRA CALL CENTER MONTHLY REPORT

December 2003

1. Scope of the Shredded Circuit Boards Exclusion

Under 40 CFR Section 261.4(a)(14), shredded circuit boards stored in containers prior to recovery are excluded from the definition of solid waste. The scope of the exclusion is limited to shredded boards that are free of mercury switches, mercury relays, nickel-cadmium batteries, and lithium batteries. If a batch of whole circuit boards contains any of these items, but the items are removed prior to shredding, are the shredded circuit boards eligible for the Section 261.4(a)(14) exclusion?

Circuit boards that have mercury switches, mercury relays, nickel-cadmium batteries, and lithium batteries removed prior to shredding, and that are containerized prior to recycling, are eligible for the exclusion in Section 261.4(a)(14). EPA limited the scope of the exclusion to circuit boards free of these items to prevent potential releases of mercury, cadmium, and lithium to the environment. "Free of," however, does not mean that the whole circuit boards never contained these items; it simply means these items were not part of the batch of circuit boards when shredded (62 FR 26013; May 12, 1997). If these items are removed from the whole circuit boards prior to shredding, the boards remain within the scope of the exclusion. On the other hand, shredded circuit boards that are not free of mercury switches, mercury relays, nickel-cadmium batteries, and lithium batteries are solid wastes and potentially hazardous wastes when recycled.

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