

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 142 B

Universal Waste Rule: Specific Provisions for Batteries

60 FR 25492-25551

May 11, 1995

(RCRA Cluster V, non-HSWA provisions)

Note: 1) This checklist, which addresses the specific universal waste provisions for batteries, is one of five revision checklists developed for the Universal Waste Rule. To be authorized for this checklist, a State must also be authorized for Revision Checklist 142 A which addresses the general universal waste provisions.

2) Note that Public Law 104-142, at §104, subjects the collection, storage, or transportation of used rechargeable batteries and other covered batteries to applicable provisions of the Universal Waste Rule upon the enactment of the Law (May 13, 1996). States wishing to regulate used rechargeable batteries and other covered batteries must adopt standards identical to the applicable standards in the Universal Waste Rule. Note that the above types of batteries are regulated by the Universal Waste Rule. The provisions of the Universal Waste Rule that apply to these batteries are the general provisions addressed by Revision Checklist 142A as well as the specific provisions addressed by Revision Checklist 142B.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 260--HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B--DEFINITIONS

† DEFINITIONS

add "Battery"	260.10					
to definition of "Universal Waste" add subparagraph addressing batteries	260.10					

PART 261--IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A--GENERAL

† REQUIREMENTS FOR RECYCLABLE MATERIALS

remove old 261.6(a)(3)(ii) and redesignate old 261.6(a)(3)(iii) as 261.6(a)(3)(ii)	261.6(a)(3)(ii)					
redesignate old 261.6(a)(3)(iv)-(vii) as 261.6(a)(3)(iii)-(vi)	261.6(a)(3)(iii)-(vi)					

† REQUIREMENTS FOR UNIVERSAL WASTE

**RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add paragraph addressing batteries	261.9(a)					

**PART 264--STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE AND DISPOSAL FACILITIES**

SUBPART A--GENERAL

† **PURPOSE, SCOPE AND APPLICABILITY**

add subparagraph addressing batteries	264.1(g)(11)(i)					
---------------------------------------	-----------------	--	--	--	--	--

**PART 265--INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

SUBPART A--GENERAL

† **PURPOSE, SCOPE AND APPLICABILITY**

add subparagraph addressing batteries	265.1(c)(14)(i)					
---------------------------------------	-----------------	--	--	--	--	--

**PART 266--STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND
SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

SUBPART G--SPENT LEAD ACID BATTERIES BEING RECLAIMED

† **APPLICABILITY AND REQUIREMENTS**

insert "(including regeneration)" after "persons who reclaim" in the first sentence; insert "who regenerate spent batteries," after "or collect spent batteries,"; insert "(other than spent batteries that are to be regenerated)" after "but do not reclaim them"	266.80(a)					
insert "lead-acid" after "that store spent"; insert "(other than spent batteries that are to be regenerated)" after "before reclaiming"	266.80(b) intro					

**RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 268--LAND DISPOSAL RESTRICTIONS

SUBPART A--GENERAL

† **PURPOSE, SCOPE AND APPLICABILITY**

add subparagraph addressing batteries	268.1(f)(1)					
--	-------------	--	--	--	--	--

**PART 270--EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT
PROGRAM**

SUBPART A--GENERAL INFORMATION

† **PURPOSE AND SCOPE OF THESE REGULATIONS**

add subparagraph addressing batteries	270.1(c)(2)(viii)(A)					
--	----------------------	--	--	--	--	--

PART 273--STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A--GENERAL

† **SCOPE**

add subparagraph addressing batteries	273.1(a)(1)					
--	-------------	--	--	--	--	--

† **APPLICABILITY--BATTERIES**

requirements of Part 273 apply to persons managing 273.6 batteries , except those in 273.2(b) list	273.2(a)(1)					
spent lead-acid batteries not managed under Part 266, Subpart G are subject to management under Part 273	273.2(a)(2)					
requirements of Part 273 do not apply to persons managing the following batteries:	273.2(b)					

**RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
spent lead-acid batteries managed under Part 266, Subpart G	273.2(b)(1)					
batteries, as described in 273.6, that are not yet hazardous waste under Part 261, including those that do not meet the criteria for waste generation in 273.2(c)	273.2(b)(2)					
batteries, as described in 273.6, that are not hazardous waste; a hazardous waste only if it exhibits one or more of the characteristics of a hazardous waste	273.2(b)(3)					
a used battery becomes a waste on the date it is discarded	273.2(c)(1)					
an unused battery becomes a waste on the date the handler decides to discard it	273.2(c)(2)					

† DEFINITIONS

add "Battery"	273.6					
add a subparagraph addressing batteries to the definition of "Universal Waste"	273.6					

SUBPART B--STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

† WASTE MANAGEMENT

small quantity handlers of universal waste must manage waste batteries to prevent release	273.13(a)					
---	-----------	--	--	--	--	--

RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
contain any universal waste battery that shows evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak	273.13(a)(1)					
activities that may be conducted as long as the casing of each battery is not breached and remains intact and closed, except for electrolyte removal	273.13(a)(2)					
sorting batteries by type	273.13(a)(2)(i)					
mixing batteries by type	273.13(a)(2)(ii)					
discharging batteries so as to remove the electric charge	273.13(a)(2)(iii)					
regenerating used batteries	273.13(a)(2)(iv)					
disassembling batteries or battery packs into individual batteries or cells	273.13(a)(2)(v)					
removing batteries from consumer products	273.13(a)(2)(vi)					
removing electrolyte from batteries	273.13(a)(2)(vii)					
resulting electrolyte and other solid wastes must be tested to determine if they exhibit a hazardous waste characteristic	273.13(a)(3)					

RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if a characteristic is exhibited, the electrolyte and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator	273.13(a)(3)(i)					
if not hazardous, then handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations	273.13(a)(3)(ii)					

RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

† LABELING/MARKING

each battery, or a container in which the batteries are contained, must be labeled or marked clearly with "Universal Waste-- Battery(ies)" or "Waste Battery(ies)" or "Used Battery(ies)"	273.14(a)					
---	-----------	--	--	--	--	--

SUBPART C--STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

† WASTE MANAGEMENT

large quantity handlers of universal waste must manage waste batteries to prevent release	273.33(a)					
contain any universal waste battery that shows evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak	273.33(a)(1)					
activities that may be conducted as long as the casing of each battery is not breached and remains intact and closed, except for electrolyte removal	273.33(a)(2)					
sorting batteries by type	273.33(a)(2)(i)					
mixing batteries by type	273.33(a)(2)(ii)					
discharging batteries so as to remove the electric charge	273.33(a)(2)(iii)					
regenerating used batteries	273.33(a)(2)(iv)					

RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
disassembling batteries or battery packs into individual batteries or cells	273.33(a)(2)(v)					
removing batteries from consumer products	273.33(a)(2)(vi)					
removing electrolyte from batteries	273.33(a)(2)(vii)					
resulting electrolyte and other solid wastes must be tested to determine if they exhibit a hazardous waste characteristic	273.33(a)(3)					
if a characteristic is exhibited, the electrolyte and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator	273.33(a)(3)(i)					
if not hazardous, then handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations	273.33(a)(3)(ii)					

RCRA REVISION CHECKLIST 142 B: Universal Waste Rule;
Specific Provisions for Batteries (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
LABELING/MARKING						
each battery, or a container or tank in which the batteries are contained, must be labeled or marked clearly with "Universal Waste--Battery(ies)" or "Waste Battery(ies)" or "Used Battery(ies)"	273.34(a)					