Fact Sheet

Management of Waste Batteries Under the Universal Waste Rule

State of Oregon
Department of Environmental Quality

Waste Management and Prevention
811 SW 6th Avenue
Portland, OR 97204
Phone: (503) 229-5913
Fax: (503) 229-6954
Contact: Jane Doe

www.deq.state.or.us

On May 11, 1995, the U.S. Environmental Protection Agency (EPA) finalized the "Federal Universal Waste Rule." The State of Oregon Department of Environmental Quality (DEQ) adopted the rule on July 12, 1996, which became effective on August 1, 1996. Adoption of this rule classifies hazardous waste batteries as universal waste. The universal waste rule provides an alternative set of management requirements with a streamlined approach for the collection and management for this group of hazardous waste. The purpose of this factsheet is to provide specific guidance for managing waste batteries under the universal waste management rule. Specific rule language citations are provided throughout the factsheet. Federal universal waste rules are found in Title 40 Code of Federal Regulations (CFR), Part 273. State universal waste rule are found in Oregon Administrative Rule (OAR) Chapter 340, Division 113. Both sets of rules need to be followed when managing universal waste.

What batteries are not subject to management as a universal waste?

(40 CFR 273.2(b)):

Batteries that do not exhibit a characteristic of hazardous waste;

Lead-acid batteries managed under 40 CFR 266, Subpart G;

Batteries managed under household hazardous waste or conditionally exempt generator provisions; and

Batteries that are not yet wastes. Used batteries become waste on the date they are discarded. Unused batteries become waste on the date the person decides to discard them.

Universal Waste Handler Categories

(40 CFR 273.13, 273.33 and OAR 340-113-040)

A person who generates or receives universal waste, including universal waste batteries from off-site for the purpose of consolidation, is defined as a universal waste handler. There are two universal waste handler categories: (1) A small quantity handler of universal waste (SQHUW) accumulates less than 11,000 pounds (5,000 kilograms) at any time, and (2) a large quantity handler of universal waste (LQHUW) accumulates 11,000 pounds or more of universal waste at any time. The two universal waste handler categories are subject to similar management standards. In addition, all handlers of universal waste batteries are subject to management requirements that follow. For a detailed discussion of the handler requirements, please refer to the Department's universal waste handler factsheet.

Universal waste handlers who receive universal waste from off-site generators are defined as "off-site collection sites." Off-site collection sites that accumulate more than 1,000 kilograms of universal waste are subject to requirements under OAR 340-113-040, in addition to the applicable universal waste handler requirements. For a further discussion of universal waste handler requirements, refer to the Department's universal waste handler factsheet.

Universal Waste Battery Management Requirements

Waste Management (40 CFR 273.13(a) and 273.33(a))

A handler of universal waste batteries must manage them in a way that prevents the release of any waste or component of the waste to the environment. Any battery that shows evidence of leakage, spillage or damage that could cause leakage must be contained. The container must be closed, structurally sound, compatible with the contents of the battery, with no sign of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. Handlers of universal waste batteries are prohibited from disposing of universal waste batteries and diluting or treating universal waste batteries. Universal waste batteries must be treated, disposed or recycled by hazardous waste facilities. Handlers of universal waste batteries may conduct the following activities as long as the casing of each individual battery cell is not