

WAC 173-303-520 Special requirements for reclaiming spent lead acid battery wastes. This section applies to persons who reclaim (including regeneration) spent lead-acid batteries that are recyclable materials ("spent batteries"). (Also, see WAC 173-303-120(3).)

(1) Persons who generate, transport, or collect spent batteries, who regenerate spent batteries, or who store spent batteries but do not reclaim them (other than spent batteries that are to be regenerated) are subject only to the requirements of WAC 173-303-016 through 173-303-169 except for 173-303-060, and WAC 173-303-960 if such spent batteries are going to a battery reclaimer. Persons who reclaim spent batteries through regeneration (such as by electrolyte replacement) are not subject to 40 C.F.R. Part 268, which is incorporated by reference at WAC 173-303-140 (2) (a).

(a) Exporters who send spent batteries to a foreign destination must:

(i) Comply with the requirements of 40 C.F.R. Part 262, Subpart H which is incorporated by reference in WAC 173-303-230(1); and

(ii) Provide a copy of the applicable movement documents for the shipment to the transporter transporting the shipment for export.

(b) Transporters transporting a shipment of spent batteries to a foreign destination must comply with the requirements of 40 C.F.R. Part 262, Subpart H which is incorporated by reference in WAC 173-303-230(1) and may not accept a shipment if the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent. In addition the transporter must ensure that:

(i) A copy of the applicable movement documents accompanies the shipment; and

(ii) The shipment is delivered to the facility designated by the person initiating the shipment.

(2) Owners and operators of battery reclaiming facilities that store spent lead acid batteries prior to reclaiming (other than spent batteries that are to be regenerated) them are subject to the following requirements:

(a) For all reclaimers, the applicable storage provisions of:

(i) WAC 173-303-280 (2) and (3);

(ii) WAC 173-303-282;

(iii) WAC 173-303-283;

(iv) WAC 173-303-290;

(v) WAC 173-303-310 through 173-303-360;

(vi) WAC 173-303-380;

(vii) WAC 173-303-390 (2) and (3);

(viii) WAC 173-303-395; and

(ix) WAC 173-303-800 through 173-303-840.

(b) For reclaimers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 C.F.R. Part 265;

(c) For reclaimers with final facility permits, the applicable storage provisions of:

(i) WAC 173-303-600 through 173-303-650; and

(ii) WAC 173-303-660.

[Statutory Authority: Chapters 70.105, 70.105D RCW and RCRA. WSR 19-04-038 (Order 16-03), § 173-303-520, filed 1/28/19, effective 4/28/19. Statutory Authority: Chapter 70.105 RCW. WSR 15-01-123 (Order 13-07), § 173-303-520, filed 12/18/14, effective 1/18/15. Statutory Authority: Chapters 70.105 and 70.105D RCW. WSR 03-07-049 (Order 02-03), § 173-303-520, filed 3/13/03, effective 4/13/03. Statutory Au-

thority: Chapters 70.105, 70.105D, 15.54 RCW and RCW 70.105.007. WSR 00-11-040 (Order 99-01), § 173-303-520, filed 5/10/00, effective 6/10/00. Statutory Authority: Chapters 70.105 and 70.105D RCW. WSR 98-03-018 (Order 97-03), § 173-303-520, filed 1/12/98, effective 2/12/98; WSR 94-01-060 (Order 92-33), § 173-303-520, filed 12/8/93, effective 1/8/94. Statutory Authority: Chapters 70.105 and 70.105D RCW, 40 C.F.R. Part 271.3 and RCRA § 3006 (42 U.S.C. 3251). WSR 91-07-005 (Order 90-42), § 173-303-520, filed 3/7/91, effective 4/7/91. Statutory Authority: Chapter 70.105 RCW. WSR 88-18-083 (Order 88-29), § 173-303-520, filed 9/6/88; WSR 88-07-039 (Order 87-37), § 173-303-520, filed 3/11/88; WSR 86-12-057 (Order DE-85-10), § 173-303-520, filed 6/3/86; WSR 84-14-031 (Order DE 84-22), § 173-303-520, filed 6/27/84. Statutory Authority: Chapter 70.105 RCW and RCW 70.95.260. WSR 82-05-023 (Order DE 81-33), § 173-303-520, filed 2/10/82.]