



Ohio Administrative Code

Rule 3745-266-80 Applicability and requirements - spent lead-acid batteries being reclaimed.

Effective: March 7, 2025

(A) If an owner or operator generates, collects, transports, stores, or regenerates lead-acid batteries for reclamation purposes, the owner or operator may be exempt from certain hazardous waste management requirements. Use the table in this paragraph to determine which requirements apply. Alternatively, the owner or operator may choose to manage the owner's or operator's spent lead-acid batteries under Chapter 3745-273 of the Administrative Code.

If the owner's or operator's batteries...	And if the owner or operator...	Then the owner or operator...	And the owner or operator...
(1) Are reclaimed through regeneration (such as by electrolyte replacement)	--	Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rule 3745-52-11 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, 3745-266 (except for this rule), and 3745-270 of the Administrative Code	Is subject to Chapter 3745-51 and rule 3745-52-11 of the Administrative Code
(2) Are reclaimed other than through regeneration	Generates, collects, or transports these batteries	Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rule 3745-52-11 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, and 3745-266 of the Administrative Code (except for this rule)	Is subject to Chapter 3745-51 and rule 3745-52-11 of the Administrative Code, and applicable provisions in Chapter 3745-270 of the Administrative Code



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<p>(3) Are reclaimed other than through regeneration</p>	<p>Stores these batteries but the owner or operator is not the reclaimer</p>	<p>Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rule 3745-52-11 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, and 3745-266 of the Administrative Code (except for this rule)</p>	<p>Is subject to Chapter 3745-51 and rule 3745-52-11 of the Administrative Code, and applicable provisions in Chapter 3745-270 of the Administrative Code</p>
<p>(4) Are reclaimed other than through regeneration</p>	<p>Stores these batteries before the owner or operator reclaims these batteries</p>	<p>Shall comply with paragraph (B) of this rule, and as appropriate, other regulatory provisions described in paragraph (B) of this rule (See paragraph (A) [Comment 2] of this paragraph)</p>	<p>Is subject to Chapter 3745-51 and rule 3745-52-11 of the Administrative Code, and applicable provisions in Chapter 3745-270 of the Administrative Code</p>
<p>(5) Are reclaimed other than through regeneration</p>	<p>Does not store these batteries before the owner or operator reclaims these batteries</p>	<p>Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rule 3745-52-11 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, and 3745-266 of the Administrative Code (except for this rule)</p>	<p>Is subject to Chapter 3745-51 and rule 3745-52-11 of the Administrative Code, and applicable provisions in Chapter 3745-270 of the Administrative Code</p>



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<p>(6) Are reclaimed through regeneration or any other means</p>	<p>Exports these batteries for reclamation in a foreign country</p>	<p>Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, 3745-266 (except for this rule), and 3745-270 of the Administrative Code</p>	<p>Is subject to Chapter 3745-51 and rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code</p>
<p>(7) Are reclaimed through regeneration or any other means</p>	<p>Transports these batteries in the United States to export these batteries for reclamation in a foreign country</p>	<p>Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, 3745-266 (except for this rule), and 3745-270 of the Administrative Code</p>	<p>Shall comply with applicable provisions of rule 3745-52-80 of the Administrative Code and 40 CFR Part 262 subpart H</p>
<p>(8) Are reclaimed other than through regeneration</p>	<p>Imports these batteries from foreign country and store these batteries, but the owner or operator is not the reclaimer</p>	<p>Are exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, and 3745-266 (except for this rule) of the Administrative Code</p>	<p>Is subject to Chapter 3745-51 and rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code, and applicable provisions of Chapter 3745-270 of the Administrative Code and 40 CFR Part 262 subpart H</p>
<p>(9) Are reclaimed other than through regeneration</p>	<p>Imports these batteries from foreign country and stores these batteries before the owner or operator reclaims these batteries</p>	<p>Shall comply with paragraph (B) of this rule, and, as appropriate, other regulatory provisions described in paragraph (B) of this rule (See paragraph (A) [Comment 2] of this paragraph)</p>	<p>Is subject to Chapter 3745-51 and rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code, applicable provisions of Chapter 3745-270 of the Administrative Code</p>



(10) Are reclaimed other than through regeneration	Imports these batteries from foreign country and does not store these batteries before the owner or operator reclaims these batteries	Is exempt from the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, Chapters 3745-50, 3745-52 (except for rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code), 3745-53, 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, 3745-266 (except for this rule), and 3745-270 of the Administrative Code	Is subject to Chapter 3745-51 and rules 3745-52-11, 3745-52-18, and 3745-52-80 of the Administrative Code, applicable provisions of Chapter 3745-270 of the Administrative Code and 40 CFR Part 262 subpart H
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[Comment 1: The exercise of foreign relations and international commerce powers is reserved to the federal government under the Constitution. These responsibilities are not delegable to the states. Therefore, the importation and exportation of hazardous waste into and out of the United States is solely regulated by the federal government.]

[Comment 2: Owners or operators who store lead acid batteries for less than seventy-two-hours prior to reclaiming as described in paragraphs (A)(4) and (A)(9) of this rule, may comply with paragraph (C)(3) of rule 3745-51-06 of the Administrative Code in lieu of paragraph (B) of this rule.]

(B) This paragraph applies to owners or operators if owners or operators store spent lead-acid batteries before owners or operators reclaim the lead-acid batteries, but owners or operators don't reclaim the lead-acid batteries through regeneration. The requirements are slightly different, depending on the owner's or operator's hazardous waste management permit status:

(1) For facilities with a permit by rule, the owner or operator shall comply with:

(a) The requirement to notify Ohio EPA or U.S. EPA of regulated waste activity.

(b) All applicable provisions in rule 3745-65-01 of the Administrative Code.

(c) All applicable provisions in rules 3745-65-10 to 3745-65-19 of the Administrative Code except



rule 3745-65-13 of the Administrative Code (waste analysis).

(d) All applicable provisions in rules 3745-65-30 to 3745-65-37 and 3745-65-50 to 3745-65-56 of the Administrative Code.

(e) All applicable provisions in rules 3745-65-70 to 3745-65-77 of the Administrative Code except rules 3745-65-71 and 3745-65-72 of the Administrative Code (dealing with the use of the manifest and manifest discrepancies).

(f) All applicable provisions in rules 3745-65-90 to 3745-65-94, 3745-67-20 to 3745-67-31, and 3745-67-50 to 3745-67-60, and Chapter 3745-66 of the Administrative Code.

(g) All applicable provisions in Chapter 3745-50 of the Administrative Code.

(h) All applicable provisions in Chapter 3745-267 of the Administrative Code.

(2) For permitted facilities, the owner or operator shall comply with:

(a) The requirement to notify Ohio EPA or U.S. EPA of regulated waste activity.

(b) All applicable provisions in rules 3745-54-01 to 3745-54-03 of the Administrative Code.

(c) All applicable provisions in rules 3745-54-10 to 3745-54-19 of the Administrative Code except rule 3745-54-13 of the Administrative Code (waste analysis).

(d) All applicable provisions in rules 3745-54-30 to 3745-54-37 and 3745-54-50 to 3745-54-56 of the Administrative Code.

(e) All applicable provisions in rules 3745-54-70 to 3745-54-77 of the Administrative Code but not rule 3745-54-71 or 3745-54-72 of the Administrative Code (dealing with the use of the manifest and manifest discrepancies).

(f) All applicable provisions in rules 3745-54-90 to 3745-54-101, 3745-56-20 to 3745-56-32, and



3745-56-50 to 3745-56-59, and Chapter 3745-55 of the Administrative Code.

(g) All applicable provisions in Chapter 3745-50 of the Administrative Code.

(h) All applicable provisions in Chapter 3745-267 of the Administrative Code.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]