

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460**

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

Mr. Thomas J. Schroeder  
2127 Tartan Road  
Anderson, Indiana 46012

Dear Mr. Schroeder:

Thank you for your letter of April 5, 1997 to Administrator Browner regarding the collection and recycling of household batteries. We appreciate your interest in this subject as well as your efforts to suggest an innovative action plan to battery manufacturers.

In your letter you suggested that the Environmental Protection Agency (EPA) recommend a collection and recycling approach such as yours to industry. EPA does not have the authority to require battery manufacturers to take back their products for recycling once they are used. Likewise, EPA can not require states or local communities to collect and recycle batteries. The collection, transfer, recycling and disposal of municipal solid waste, including batteries, fall under the purview of state and local governments. In fact, several states have already passed laws governing the collection and recycling of batteries.

While there is no federal law mandating the recycling of batteries, there is a federal law that facilitates the voluntary collection and recycling of certain household batteries. The "Mercury-Containing and Rechargeable Battery Management Act" (the Battery Act) was signed by President Clinton on May 13, 1996. I have enclosed a copy of the Act for your information. The law has two primary goals, the first of which is to limit the mercury content in consumer batteries. The second is to promote recycling and proper disposal of used rechargeable nickel cadmium (Ni-Cd) batteries, small sealed lead acid rechargeable batteries, and certain other types of rechargeable batteries now widely used in consumer products. In order to achieve the second goal, the law (1) requires that Ni-Cd and small sealed lead acid rechargeable batteries in products manufactured after May 13, 1997 be easily removable from the products; (2) establishes uniform national labeling requirements for Ni-Cd and small sealed lead acid rechargeable batteries; and, (3) requires that collection, storage, and transportation of used rechargeable batteries be managed according to standards established in the May 11, 1995 Universal Waste Rule (60 FR 25492). I have enclosed a copy of this rule for your information.

RO 14290

In this way, the Battery Act removed obstacles to a voluntary industry take-back system. EPA is aware that such a system is being implemented for the nationwide collection and recycling of Ni-Cd batteries. The Rechargeable Battery Recycling Corporation (RBRC) physically administers this system, which is funded by a licensing fee charged to rechargeable product and Ni-Cd battery manufacturers which place the RBRC seal on their products. Retailers and communities receive free collection kits from RBRC, which are used to collect Ni-CDs from consumers. RBRC then pays for the transportation of the collected batteries to the recycling facility. Consumers may locate the retailer or community nearest them by calling 1-800-8BATTERY. To find out more about this system, I suggest that you call Jeff Bagby of RBRC, at (540) 720-9225

EPA is involved in a number of efforts that encourage source reduction and recycling of municipal solid waste, including batteries. I have enclosed one EPA document that addresses battery recycling specifically, "Used Dry Cell Batteries: Is a Collection Program Right for Your Community?" This document discusses battery collection and recycling programs in great detail and provides an overview of some of the local collection programs in operation throughout the United States.

Thank you again for your thoughtful interest in the collection and recycling of household batteries. The success of recycling in this country depends on the concerns and efforts of individuals like you.

Sincerely yours,

Elizabeth A. Cotsworth, Acting Director  
Office of Solid Waste

Enclosures

4/5/97

Carol Browner, Administrator  
U. S. Environmental Protection Agency  
401 M Street SW  
Washington, DC 20460

Ms. Browner:

Last fall, I sent the attached proposal to a couple of companies that manufacture the typical household batteries. The response was not favorable. After reading your "Ask The Expert" comment in the April 1997 Good Housekeeping, I felt the issue of recycling of batteries is being addressed, but not to the extent that could be done using the approach I suggest. If the industry does not consider the proposal acceptable, it may be appropriate for the EPA to recommend such an approach.

Respectfully,

Thomas J. Schroeder  
2127 Tartan Road

Anderson, IN 46012

Proposal:

To develop and/or expand a recycling program for standard house hold and mercury batteries on a scale equal to or greater than that of aluminum can recycling.

Action plan:

This goal could be accomplished by developing a vending machine for dispensing batteries that would at the same time, accept used batteries. A pay back element could be incorporated into the design of the machine to encourage recycling.

The recycling program would begin with the manufacturing of the battery by encoding each battery so it could be identified when it is deposited in the recycling portion of the vending machine.

By locating the recycling station at the same point as sales, the distributor would act as the entry point for recycling. This offers many advantages when compared to aluminum can recycling which requires a separate collection, i.e. reverse distribution, system.

The recycling station could also be a separate station, apart from sales, however the concept of encoding each battery for proper identification would be required.