

9451.1987(03)

AIDS TO NAVIGATION (ATON) BATTERIES AND RCRA REQUIREMENTS

JUL 30 1987

MEMORANDUM

SUBJECT: Generation of Aids to Navigation (ATON)  
Batteries and RCRA Requirements

FROM: Marcia E. Williams, Director  
Office of Solid Waste (WH-562)

Gene A. Lucero  
Office of Waste Programs Enforcement (WH-527)

TO: Kenneth D. Feigner, Chief  
Waste Management Branch (HW-112)  
EPA Region X

This is in response to your June 30, 1987, memorandum in which you requested clarification as to how the RCRA rules apply to ATON batteries. The answers to your specific questions are as follows:

1. We agree with you that the entire battery is counted in weight calculations,
2. The points of waste generation are, as you suggested, each ATON unit service area (either landbased or the tender vehicle). Each area is subject to the quantity determination of  $\square 261.5$ , except when several areas are on one site; then the entire quantity of hazardous waste generated at the site is counted.
3. The location to which the spent batteries are taken would normally be a TSDF, provided the waste is received from one or more ATON units which generate greater than 100 kg/mo. of hazardous waste. You should note, however, that 40 CFR  $\square 263.12$  provides that properly packaged and labeled hazardous waste containers may be held for 10 days or less at a transfer facility without having to comply with Parts 264, 265, 94 270.

-2-

4. The satellite accumulation area provision of 262.34 (c) do not apply to the ATON locations because they are not all on one site, but rather are each distinct sites surrounded by water.
5. We believe that the batteries removed after tender servicing do require manifesting, as well as those removed from land-based vehicle servicing. The location where a battery is removed from service is the waste generation site. The generator must manifest the batteries to a TSDf provided they are not a conditionally exempt generator. As indicated above, the batteries may be held for up to 10 days at a transfer facility under 263.12.

Please feel free to contact Michael Petruska at 475-6676 if you have any further questions.

cc: Waste Management Division Directors, Regions I - IX  
Solid Waste Branch Chiefs, Regions I - X