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SPECIAL MATERIALS DISPOSED OF IN LANDFILLS:
BATTERIES, CAPACITORS, LAB PACKS

DEC 31 1986

Mr. Gary Edelstein
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707

Dear Mr. Edelstein:

This is in response to your request for clarification concerning the relationship between Sections 264.315 and 265.315 and Sections 264.314(d) and 265.314(c). Your question was whether Sections 264.315 and 265.315 took precedent over Sections 264.314(d) and 265.314(c). The answer is that these sections do not take precedent over Sections 264.314(d) or 265.314(c).

Batteries and capacitors do not have to be 90% full when placed in the landfill nor would they have to be crushed, shredded, or reduced in volume to the maximum practical extent before burial. Batteries and capacitors are a specific exemption from the containerized liquids requirements since the Agency believes that the difficulty of opening and emptying them appears to outweigh the small benefits gained from eliminating their liquid content. In order to comply with Sections 264.315 and 265.315 a battery or capacitor would need to be opened or emptied which would run counter to Section 264.314(d) or Section 265.314(c).

Lab packs are another specific exemption from the containerized liquids requirements and are further regulated under Sections 264.316 and 265.316. The lab pack requirements (i.e., Sections 264.316 and 265.316) override the containerized liquids regulatory language in Sections 264.314(d) and 265.314(c).

i hope that this response helps and if you need any additional information feel free to call me at (202) 382-4682. Sorry for the delay in getting this response to you.

Yours truly,

Paul F. Cassidy
Environmental Engineer
Office of Solid Waste
Land Disposal Branch