



Lead-Acid Batteries Must be Recycled

THIS POLICY DOES NOT HAVE THE FORCE OF LAW

Hazardous Waste

*Just about everyone uses lead acid batteries. They are batteries that contain lead and sulfuric acid and are used as a source of power. Perhaps the most common lead-acid battery is the one that is used to start your car. On April 25, 2008, Ohio's battery law, **Ohio Revised Code 3734.91 to .915**, became effective prohibiting the disposal of lead acid batteries in solid or hazardous waste landfills, defines duties for retailers and wholesalers and specifies type of sign that needs to be posted.*

What Types of Batteries are Covered by this Law?

The batteries that are covered by the law include batteries used in vehicles, motorcycles, wheelchairs, boats, or other forms of motive power. The law exempts batteries used in consumer products like computers, electronic games, telephones, radios and similar electronics. The law is intended to ensure that all spent lead acid batteries are recycled in Ohio. The law also requires wholesalers and retailers of lead acid batteries to take your old battery for recycling when you buy a new one.

Specifically the new law does the following:

- Prohibits anyone from mixing a used lead-acid battery with solid waste or disposing of a used lead-acid battery at a **solid** or **hazardous waste** disposal facility;
- Requires any person who generates a lead acid battery to deliver it to a retailer, a wholesaler, a secondary lead smelter, an automotive repair business, a household hazardous waste collection location or event, or **a lead-acid battery collection or recycling entity or other entity** (including permitted hazardous waste storage or treatment facilities) that operates in compliance with the state's **hazardous waste rules** if they are applicable;
- Requires retailers to deliver a used lead-acid battery to a wholesaler, a secondary lead smelter, a battery manufacturer for delivery to a secondary lead smelter, or a lead-acid battery collection or recycling entity or other entity that operates in compliance with the state's hazardous waste rules if they are applicable;
- Requires wholesalers and retailers that sell lead acid batteries to accept from their customers, at the time of purchase, used lead-acid batteries of the same general type and in a quantity that is at least equal to the number sold to the purchaser, if the purchaser offers the used lead-acid batteries to the retailer.
- Requires retailers that sell lead-acid batteries to **post a sign** that is at least 8 1/2 inches by 11 inches in a location that is visible to customers and in close proximity to the location where lead-acid batteries are displayed for sale at the retailer's location; and,
- Establishes civil penalties of \$25 dollars per violation that may be imposed by a court for retailers that do not post the sign, or post a sign that does not meet the specifications in the law.

As stated above, a retailer that sells lead acid batteries must **post a sign** with specific language near where they display lead acid batteries for sale. We have included an electronic version of the sign that will meet the requirements of the law with this guidance document. You can print it out and post it or have it printed professionally.

Contact

For more information, contact the Hazardous Waste Compliance and Inspection Support Unit of the **Division of Environmental Response and Revitalization** at 614-644-2924.