



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 25 2009

Mr. Josh Lynch
Pinella County Utilities
2990 110th Ave. North
St. Petersburg, FL 33716

Ref. No. 09-0135R

Dear Mr. Lynch:

Recently, our Office issued several letters, including our June 23, 2009 letter (Ref. No. 09-0135) responding to your request, regarding the applicability of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) to the transport of used or spent dry cell batteries. This letter supersedes the response given in our June 23, 2009 letter.

After further consideration and analysis of dry battery chemistries and sizes and based on information available to us, it is the opinion of this Office that used or spent dry, sealed batteries of both non-rechargeable and rechargeable designs, described as "Batteries, dry, sealed, n.o.s." in the Hazardous Materials Table in § 172.101 of the HMR and not specifically covered by another proper shipping name, with a marked rating up to 9-volt are not likely to generate a dangerous quantity of heat, short circuit, or create sparks in transportation. Therefore, used or spent batteries of the type "Batteries, dry, sealed, n.o.s." with a marked rating of 9-volt or less that are combined in the same package and transported by highway or rail for recycling, reconditioning, or disposal are not subject to the HMR. Note that batteries utilizing different chemistries (i.e., those battery chemistries specifically covered by another proper shipping name) as well as dry, sealed batteries with a marked rating greater than 9-volt may not be combined with used or spent batteries of the type "Batteries, dry, sealed, n.o.s." in the same package. Note also, that the clarification provided in this letter does not apply to batteries that have been reconditioned for reuse.

I hope this information is helpful. If you have further questions, please contact this office.

Sincerely,

Charles E. Betts,
Chief, Standards Development
Office of Hazardous Materials Standards

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Batteries
09-0135



05/21/09

Re: Battery Recycling Advisory Letter

Attn: PHH-10
U.S. DOT
PHMSA Office of Hazardous Materials Standards
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

To whom it may concern at the U.S. DOT,

My name is Josh Lynch and I'm writing in regards to the DOT PHMSA battery recycling advisory letter that was sent out on April 3rd of this year. I work for a household hazardous waste (HHW) facility in Pinellas County that currently collects batteries from the public. I am currently their Utilities Chemist.

I have been in contact with Daniel Derwey, your senior hazardous materials investigator, and he has instructed me to send a formal letter and pictures of how we intend to transport our alkaline batteries. I have already received positive vocal affirmation for this but need something in writing stating approval. Our contractor also has shown their consent.

For our non-rechargeable batteries (AA, AAA, C, D, and 9-volt) we will be placing them compactly, positive face up in a box to ensure that no movement occurs during shipment which could lead to a short circuit or possible chemical leakage (see picture). From there we will be closing and sealing said boxes. From there we will proceed one of two ways:

- 1) Once they are properly sealed we will then proceed to stack them in a lined (plastic lining) 55 gallon sealable metal drum. The boxes are uniform and large enough that each corner of the box will touch the side of the plastic lined drum – each diagonal of the box will equal the diameter of the drums width to ensure a compact fit (see picture), or
- 2) After they are boxed and sealed we will palletize and shrink wrap these 12" x 12" x 2" boxes about 3 to 4 stacks high. This lower height stack will ensure that the batteries weight wont become too much of a factor.

As stated I just need written confirmation that this packing process complies with DOT standards for shipping alkaline batteries and was given this address. If you could respond in a timely manner it would be greatly appreciated. You can e-mail me at jlynch@pinellascounty.org or mail me back at:

Josh Lynch
2990 110th Ave. North
St. Petersburg, FL 33716
Phone: (727) 464-7735
jlynch@pinellascounty.org

UNIVERSAL WASTE

CONTENTS _____
ACCUMULATION START DATE _____
SHIPPER _____
ADDRESS _____
CITY, STATE, ZIP _____

815-234-3344

05/21/2009



