**Section 733.102 Applicability: Batteries**

a) Batteries Covered under This Part

1) The requirements of this Part apply to persons managing batteries, as described in Section 733.109, except those listed in subsection (b).

2) Spent lead-acid batteries that are not managed under Subpart G of 35 Ill. Adm. Code 726, are subject to management under this Part.

b) Batteries Not Covered under This Part. The requirements of this Part do not apply to persons managing the following batteries:

1) Spent lead-acid batteries that are managed under Subpart G of 35 Ill. Adm. Code 726;

2) Batteries, as described in Section 733.109, that are not yet wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c); or

3) Batteries, as described in Section 733.109, that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in Subpart C of 35 Ill. Adm. Code 721.

c) Generation of Waste Batteries

1) A used battery becomes a waste on the date it is discarded (e.g., when sent for reclamation).

2) An unused battery becomes a waste on the date the handler decides to discard it.

(Source: Amended at 42 Ill. Reg. 25200, effective November 19, 2018)