	WATER RESOURCES DIVISION POLICY AND PROCEDURE		DEPARTMENT OF ENVIRONMENTAL QUALITY
Original Effective Date: April 21, 2009	Subject: Part 31 - Part 5 Rules for Battery Sulfuric Acid		Category: <input type="checkbox"/> Internal/Administrative <input type="checkbox"/> External/Non-Interpretive <input checked="" type="checkbox"/> External/Interpretive
Revised Date:	Program Name: Groundwater Discharge Permits Program Surface Water Quality Program		Type: <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure <input type="checkbox"/> Policy and Procedure
Reformatted Date: April 21, 2014	Number: WRD-038	Page: 1 of 2	

A Department of Environmental Quality (DEQ) Policy and Procedure cannot establish regulatory requirements for parties outside of the DEQ. This document provides direction to DEQ staff regarding the implementation of rules and laws administered by the DEQ. It is merely explanatory; does not affect the rights of, or procedures and practices available to, the public; and does not have the force and effect of law.

NOTE: This policy was previously numbered Part 5 Rules Operational Guidance (POG #4) for Battery Sulfuric Acid.

PURPOSE: Provide guidance for battery acid used indoors in compliance with the Part 5 Rules, Spillage of Oil and Polluting Materials, promulgated under Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

BACKGROUND:

- A. The DEQ's Water Resources Division is responsible for implementing the Part 5 Rules, which were substantially revised and placed into effect on August 31, 2001, and additional release reporting requirements added by Section 3111(b) of Part 31 effective June 15, 2004.
- B. Industry and commercial facilities use battery-operated forklift trucks and other battery-operated equipment that contain sulfuric acid.
- C. Sulfuric acid is a polluting material listed in Table 1 of the Part 5 Rules.
- D. Industry and commercial facilities may have sulfuric acid for battery-operated equipment that exceeds the threshold management quantity of 440 pounds (outdoor) and 2,200 pounds (indoor).
- E. Industry and commercial facilities may have sulfuric acid for battery-operated equipment in containers; i.e., cells for batteries that contain less than 10 gallons or 100 pounds of sulfuric acid.
- F. Battery-operated equipment for industry and commercial facilities is in a use area.
- G. Battery-operated equipment for industry and commercial facilities is diffused throughout the facility as opposed to discrete storage.

GUIDANCE:

For the purposes of clarifying the use of battery-operated equipment that contain sulfuric acid, the Water Resources Division considers the following:

WATER RESOURCES
POLICY AND PROCEDURE

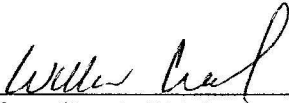
Number: WRD-038

Subject: Part 31 - Part 5 Rules for Battery Sulfuric Acid

Page 2 of 2

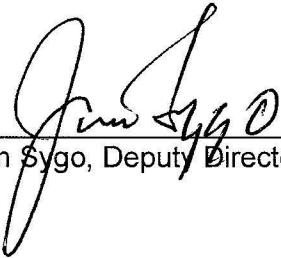
- A. Container: Battery-operated equipment that includes sulfuric acid in containers that meet the requirement of Rule 3(1)(a) of the Part 5 Rules by not exceeding 10 gallons or 100 pounds, and where the sulfuric acid container, often referred to as a cell, is not hydraulically connected to other cells, is exempt from the Part 5 Rules.
1. Rule 3(1)(a) of the Part 5 Rules: "Any facility that manages polluting materials in excess of threshold quantities is exempt from these rules if the polluting materials are managed in containers that do not individually exceed 10 gallons or 100 pounds in capacity and that are located indoors at a facility that is designed, constructed, maintained, and operated to prevent any spilled polluting material from being released directly or indirectly to the surface waters or groundwaters of the state."

DIVISION CHIEF APPROVAL:



William Creal, Chief
Water Resources Division

DEPUTY DIRECTOR APPROVAL:



Jim Sygo, Deputy Director