

**SECTION 17-17-437.
PROMULGATION, ETC., OF RULES AND
REGULATIONS FOR IMPLEMENTATION OF
SECTIONS 17-17-429 THROUGH 17-17-445;
PENALTIES FOR VIOLATIONS.**

The Commission on Environmental Quality may adopt, modify, repeal, promulgate, make exceptions to, grant exemptions and variances from and enforce rules and regulations required to implement these Sections of the Mississippi Code. Unless a different penalty is specifically prescribed, any person found guilty by the Commission of violating these Sections any rule or regulation or written order promulgated or issued by the commission shall be subject to the penalties prescribed in Section 17-17-29.

For more information on lead-acid batteries or to obtain the recycling notice signs, contact the

*Solid Waste Policy,
Planning & Grants Branch*

Phone: 601-961-5171

Fax: 601-961-5785

www.deq.state.ms.us



Mississippi Department of Environmental Quality
Solid Waste Policy, Planning and Grants Branch
P.O. Box 2261
Jackson, MS 39225

Mississippi
Department of ENVIRONMENTAL
QUALITY

**Mississippi
Lead Acid
Battery Laws**



*MDEQ strives to preserve
and protect Mississippi's air,
land, and water through fair
and responsible regulation.*



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Introduction

This brochure provides information and excerpts from Mississippi state law concerning the collection and recycling of lead acid batteries in the state. More than 80% of lead produced in the United States is used in lead acid batteries. Consequently, the State of Mississippi and other states adopted requirements in state laws that all batteries be recycled. Today more than 93% of all lead acid batteries are recycled in this country. This information is pertinent to persons involved in the retail sale of lead acid batteries; to persons who may collect and recycle lead acid batteries; and to persons in the general public that purchase lead acid batteries. Each of the headings section refers to sections of the Mississippi Code.

SECTION 17-17-429. DISPOSAL OF LEAD ACID BATTERIES

- (1) No person may place a lead acid battery in mixed municipal solid waste, discard or otherwise dispose of a lead acid battery except by delivery to a battery retailer or wholesaler, or to a permitted secondary lead smelter, or to a collection or recycling facility authorized under the laws of this state.
- (2) No battery retailer shall dispose of a lead acid battery except by delivery to the agent of a battery wholesaler or a permitted secondary lead smelter, to a battery manufacturer for delivery to a permitted secondary lead smelter or to a collection or recycling facility authorized under the laws of this state.

SECTION 17-17-431. DUTIES OF RETAIL SELLERS OF LEAD ACID BATTERIES

A person selling lead acid batteries at retail or offering lead acid batteries for retail sale in the state shall:

- (a) Accept from customers, at the point of transfer, used lead acid batteries in a quantity at least equal to the number of new batteries purchased, if offered by customers; and
- (b) Post written notice which must be at least eight and one-half inches (8-1/2") by eleven inches (11") in size and must contain the universal recycling symbol and the following language:
 - (i) **It is illegal to discard a motor vehicle battery or other lead acid battery;**
 - (ii) **Recycle your used batteries;** and
 - (iii) **State law requires us to accept used motor vehicle batteries or other lead acid batteries for recycling in exchange for new batteries purchased.**

SECTION 17-17-433. PREPARATION AND DISTRIBUTION OF NOTICE REQUIRED BY SECTION 17-17-431; INSPECTION OF PREMISES AND ISSUANCE OF WARNINGS; PENALTY FOR FAILURE TO POST NOTICE AFTER RECEIPT OF WARNING.

The Department of Environmental Quality shall produce, print and distribute the notices required by Section 17-17-431 to all places where lead acid batteries are offered for sale at retail. In performing its duties under this section, the Department may inspect any place, building or premise governed by Section 17-17-431. Authorized employees of the Department may issue warnings

to a person who fails to comply with the requirement of those Sections. Any person who fails to post the required notice after receiving a warning may be subject to a fine of One Hundred Dollars (\$100.00) per day.

SECTION 17-17-435. DUTY OF WHOLESALE SELLERS OF LEAD ACID BATTERIES: REMOVAL OF BATTERIES ACCEPTED IN TRANSFER FROM BATTERY RETAILERS.

Any person selling new lead acid batteries at wholesale shall accept from customers at the point of transfer, used lead acid batteries in a quantity at least equal to the number of new batteries purchased, if offered by customers. A person accepting batteries in transfer from a battery retailer shall be allowed a period not to exceed one hundred eighty (180) days to remove batteries from the retail point of collection.

**MDEQ WILL PROVIDE THE MANDATORY
RECYCLING NOTICE SIGNS AS DEPICTED
BELOW TO ANY BATTERY RETAILER
UPON REQUEST.**

