

cluding guidelines under section 6962 of this title) that provide for the use of cement and concrete incorporating recovered mineral component in cement or concrete projects.

**(2) Priority**

In carrying out paragraph (1) an agency head shall give priority to achieving greater use of recovered mineral component in cement or concrete projects for which recovered mineral components historically have not been used or have been used only minimally.

**(3) Conformance**

The Administrator and each agency head shall carry out this subsection in accordance with section 6962 of this title.

**(c) Full implementation study**

**(1) In general**

The Administrator, in cooperation with the Secretary of Transportation and the Secretary of Energy, shall conduct a study to determine the extent to which current procurement requirements, when fully implemented in accordance with subsection (b), may realize energy savings and environmental benefits attainable with substitution of recovered mineral component in cement used in cement or concrete projects.

**(2) Matters to be addressed**

The study shall—

(A) quantify the extent to which recovered mineral components are being substituted for Portland cement, particularly as a result of current procurement requirements, and the energy savings and environmental benefits associated with that substitution;

(B) identify all barriers in procurement requirements to greater realization of energy savings and environmental benefits, including barriers resulting from exceptions from current law; and

(C)(i) identify potential mechanisms to achieve greater substitution of recovered mineral component in types of cement or concrete projects for which recovered mineral components historically have not been used or have been used only minimally;

(ii) evaluate the feasibility of establishing guidelines or standards for optimized substitution rates of recovered mineral component in those cement or concrete projects; and

(iii) identify any potential environmental or economic effects that may result from greater substitution of recovered mineral component in those cement or concrete projects.

**(3) Report**

Not later than 30 months after August 10, 2005, the Administrator shall submit to Congress a report on the study.

**(d) Additional procurement requirements**

Unless the study conducted under subsection (c) identifies any effects or other problems described in subsection (c)(2)(C)(iii) that warrant further review or delay, the Administrator and each agency head shall, not later than 1 year after the release of the report in accordance with subsection (c)(3), take additional actions

authorized under this chapter to establish procurement requirements and incentives that provide for the use of cement and concrete with increased substitution of recovered mineral component in the construction and maintenance of cement or concrete projects, so as to—

(1) realize more fully the energy savings and environmental benefits associated with increased substitution; and

(2) eliminate barriers identified under subsection (c).

**(e) Effect of section**

Nothing in this section affects the requirements of section 6962 of this title (including the guidelines and specifications for implementing those requirements).

(Pub. L. 89-272, title II, §6005, as added Pub. L. 109-59, title VI, §6017(a), Aug. 10, 2005, 119 Stat. 1888.)

**Editorial Notes**

**CODIFICATION**

Another section 6005 of Pub. L. 89-272 is classified to section 6966 of this title.

**§ 6966b. Use of granular mine tailings**

**(a) Mine tailings**

**(1) In general**

Not later than 180 days after August 10, 2005, the Administrator, in consultation with the Secretary of Transportation and heads of other Federal agencies, shall establish criteria (including an evaluation of whether to establish a numerical standard for concentration of lead and other hazardous substances) for the safe and environmentally protective use of granular mine tailings from the Tar Creek, Oklahoma Mining District, known as “chat”, for—

(A) cement or concrete projects; and

(B) transportation construction projects (including transportation construction projects involving the use of asphalt) that are carried out, in whole or in part, using Federal funds.

**(2) Requirements**

In establishing criteria under paragraph (1), the Administrator shall consider—

(A) the current and previous uses of granular mine tailings as an aggregate for asphalt; and

(B) any environmental and public health risks and benefits derived from the removal, transportation, and use in transportation projects of granular mine tailings.

**(3) Public participation**

In establishing the criteria under paragraph (1), the Administrator shall solicit and consider comments from the public.

**(4) Applicability of criteria**

On the establishment of the criteria under paragraph (1), any use of the granular mine tailings described in paragraph (1) in a transportation project that is carried out, in whole or in part, using Federal funds, shall meet the criteria established under paragraph (1).

**(b) Effect of sections**

Nothing in this section or section 6966a of this title affects any requirement of any law (including a regulation) in effect on August 10, 2005.

(Pub. L. 89-272, title II, §6006, as added Pub. L. 109-59, title VI, §6018(a), Aug. 10, 2005, 119 Stat. 1890.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 6966a of this title, referred to in subsec. (b), was in the original “section 6005” meaning section 6005 of Pub. L. 89-272, which was translated as meaning the section 6005 of Pub. L. 89-272 as added by section 6017(a) of Pub. L. 109-59, to reflect the probable intent of Congress.

**§ 6966c. Best practices for battery recycling and labeling guidelines****(a) Definitions**

In this section:

**(1) Administrator**

The term “Administrator” means the Administrator of the Environmental Protection Agency.

**(2) Battery**

The term “battery” means a device that—

- (A) consists of 1 or more electrochemical cells that are electrically connected; and
- (B) is designed to store and deliver electric energy.

**(3) Recycling**

The term “recycling” means the series of activities—

- (A) during which recyclable materials are processed into specification-grade commodities, and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacturing of new products;
- (B) that may include collection, processing, and brokering; and
- (C) that result in subsequent consumption by a materials manufacturer, including for the manufacturing of new products.

**(b) Best practices for collection of batteries to be recycled****(1) In general**

The Administrator shall develop best practices that may be implemented by State, Tribal, and local governments with respect to the collection of batteries to be recycled in a manner that—

- (A) to the maximum extent practicable, is technically and economically feasible for State, Tribal, and local governments;
- (B) is environmentally sound and safe for waste management workers; and
- (C) optimizes the value and use of material derived from recycling of batteries.

**(2) Consultation**

The Administrator shall develop the best practices described in paragraph (1) in coordination with State, Tribal, and local governments and relevant nongovernmental and private sector entities.

**(3) Report**

Not later than 2 years after November 15, 2021, the Administrator shall submit to Con-

gress a report describing the best practices developed under paragraph (1).

**(4) Authorization of appropriations**

There is authorized to be appropriated to the Administrator to carry out this subsection \$10,000,000 for fiscal year 2022, to remain available until September 30, 2026.

**(c) Voluntary labeling guidelines****(1) In general**

There is established within the Environmental Protection Agency a program (referred to in this subsection as the “program”) to promote battery recycling through the development of—

- (A) voluntary labeling guidelines for batteries; and
- (B) other forms of communication materials for battery producers and consumers about the reuse and recycling of critical materials from batteries.

**(2) Purposes**

The purposes of the program are to improve battery collection and reduce battery waste, including by—

- (A) identifying battery collection locations and increasing accessibility to those locations;
- (B) promoting consumer education about battery collection and recycling; and
- (C) reducing safety concerns relating to the improper disposal of batteries.

**(3) Other standards and law**

The Administrator shall make every reasonable effort to ensure that voluntary labeling guidelines and other forms of communication materials developed under the program are consistent with—

- (A) international battery labeling standards; and
- (B) the Mercury-Containing and Rechargeable Battery Management Act (42 U.S.C. 14301 et seq.).

**(4) Authorization of appropriations**

There is authorized to be appropriated to the Administrator to carry out this subsection \$15,000,000 for fiscal year 2022, to remain available until September 30, 2026.

(Pub. L. 117-58, div. G, title IV, §70401, Nov. 15, 2021, 135 Stat. 1261.)

**Editorial Notes**

## REFERENCES IN TEXT

The Mercury-Containing and Rechargeable Battery Management Act, referred to in subsec. (c)(3)(B), is Pub. L. 104-142, May 13, 1996, 110 Stat. 1329, which is classified generally to chapter 137 (§14301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 14301 of this title and Tables.

## CODIFICATION

Section was enacted as part of the Infrastructure Investment and Jobs Act, and not as part of the Solid Waste Disposal Act which comprises this chapter.