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# Resource Conservation and Recovery Act Guidance: July 19th U.S. Environmental Protection Agency Memorandum Addressing Automotive Airbag Inflators/Fully Assembled Airbag Modules

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The United States Environmental Protection Agency (“EPA”) issued a July 19th memorandum interpreting certain Resource Conservation and Recovery Act (“RCRA”) regulations titled:

*Regulatory Status of Automotive Airbag Inflators and Fully Assembled Airbag Modules (“Memorandum”)*

The Memorandum originates from Office of Resource Conservation and Recovery Director Barnes Johnson and is directed to the agency’s RCRA Division Directors and Regional Enforcement Division Directors.

The Institute of Scrap Recycling Industries (“ISRI”) had sought from EPA clarification of the regulatory status of undeployed automotive airbag modules and airbag inflators. The Memorandum addresses those issues, including those devices that have never been installed in a vehicle and those removed from vehicles.

ISRI notes a key conclusion of the Memorandum is that airbags remaining installed in vehicles are considered part of the vehicle being recycled. As a result, they are exempt scrap metal under RCRA.

The EPA Memorandum notes that:

Undeployed airbag modules and airbag inflators are frequently reactive (D003) and/or ignitable (D001) due to the propellant contained in the inflator, and therefore hazardous wastes under the Resource Conservation and Recovery Act (RCRA) when discarded. Deployment of the airbag module consumes the propellant and removes the reactivity and ignitability characteristics.

The Memorandum is described as an effort to explain how “RCRA hazardous waste regulations and exemptions apply to different types of airbag modules and airbag inflators. The components of the Memorandum include:

- Airbag Module vs. Airbag Inflator
- Summary of EPA’s Regulatory Interpretations Regarding Airbag Modules and Airbag Inflators

- Unused (Never Installed) Airbag Modules and Airbag Inflators are not Solid Wastes when Legitimately Reclaimed
- Used Airbag Modules and Airbag Inflators that can be Legitimately Reused are not Solid Wastes
- Used Airbag Modules and Airbag Inflators (both Takata and Non-Takata) still Installed in Vehicles that are Being Recycled as Exempt Scrap Metal are also Scrap Metal
- Used Airbag Modules Removed from Vehicles that can Safely Undergo Electronic Deployment can be Recycled as Exempt Scrap Metal
- Used Airbag Inflators that Cannot be Reused are Spent Materials that Cannot be Recycled as Exempt Scrap Metal when Exhibiting the Hazardous Waste Characteristic of Ignitability and/or Reactivity
- Implementation in Authorized States
- Possible Future Regulatory Action Recalled Airbags
- Diagrams
- Table Summarizing the Regulatory Interpretations

EPA ends the Memorandum by noting that the agency is considering development of a rule that would exempt discarded airbag modules and airbag inflators from some RCRA regulatory requirements provided certain conditions are met.

A copy of the [Memorandum](#) can be found here.