ENVIRONMENT

New California fee targets batteries in PlayStations, power tools and singing cards

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Customers check out the new iPhone as people lined up to buy the newly launched iPhone 15 and other Apple products outside of the Apple store in Palo Alto on Sept. 22, 2023. Photo by Tayfun Coskun/Anadolu Agency via Getty Images

IN SUMMARY

Consumers will have to pay a 1.5% fee on all products with an embedded battery as the result of a new law aiming to curb risk of battery fires.

Starting January 1, Californians will pay a new fee every time they buy a product with a non-removable battery – whether it's a power tool, a PlayStation, or even a singing greeting card.

The 1.5% surcharge, capped at $15, expands a recycling program that's been quietly collecting old computer monitors and TVs for two decades. The change is a result of Senate Bill 1215, authored by former state Sen. Josh Newman, a Democrat who represented parts of Los Angeles and San Bernardino. It was signed into law in 2022.

Consumers will pay the fee when buying any product with an embedded battery whether it's rechargeable or not. Many of these products, experts said, end up in the trash. **In its most recent analysis,** the California Department of Resources Recycling and Recovery estimates about 7,300 tons of batteries go to landfills illegally or by accident.

California pioneered electronic waste fees with computer monitors and TVs in 2003. The fee worked, keeping hazardous screens out of landfills and building better systems for proper disposal. But over the last 20 years, electronic waste has continued to evolve.

Powerful lithium batteries have become cheaper and more accessible as demand for technology has increased. They now power everyday products, from cellphones and AirPods to power tools and toys.

"These things are everywhere. They're ubiquitous," said Joe La Mariana, executive director of RethinkWaste, which manages waste services for 12 San Mateo County cities – a co-sponsor of the legislation.

They're also, under some circumstances, a risk. Under harsh conditions at recycling and waste facilities, lithium-ion batteries can burst into flames and even explode.

"Paying a small check-stand fee to fund proper collection is far cheaper than million-dollar fires, higher insurance premiums, and rate hikes passed back to communities," said Doug Kobold, executive director of the California Product Stewardship Council, which co-sponsored the legislation.

A growing problem

In 2016, in the San Mateo County city of San Carlos, a lithium-ion battery sparked a major fire at the Shoreway Environmental Center recycling facility. It caused a four-month plant shutdown and $8.5 million in damage. RethinkWaste, a regional waste management agency, oversees that facility. As a result of the fire, its insurance premium rose from $180,000 to $3.2 million annually, La Mariana said; ratepayers ultimately bore that cost.

That fire catalyzed the waste management agency to seek solutions to the growing battery fire problem.

“Being a publicly owned facility, every bit of that property is owned and paid for by our 430,000 ratepayers,” La Mariana said. “So we have a fiduciary responsibility to maintain the integrity of these assets. But also, on a human level, we have a very high responsibility for the safety of our colleagues and our co-workers.”

Battery fires in waste and recycling facilities are an everyday hazard. Experts say they’re **underreported**, likely because facilities fear oversight or increases in insurance premiums.

And batteries can catch fire anywhere. Earlier this year, two girls were hospitalized after an **electric scooter caught fire** in a Los Angeles apartment building. According to the Federal Aviation Administration, there are nearly two **battery fires on U.S. flights** every week.

Clean energy shift brings battery hazards

The fee consumers will pay in the new year is just one piece of the state’s evolving response to the emerging risk of lithium-ion batteries.

Single-use plastic vapes are exempt from the new law because the Department of Toxic Substances Control raised concerns about collection and recycling systems handling nicotine, a hazardous substance, said Nick Lapis, an advocate with Californians Against Waste, which co-sponsored the legislation. They’re also the fastest growing source of lithium-ion battery waste.

“If you imagine somebody’s a pack a day smoker, that means every single day they’re throwing out a device with a lithium-ion battery,” Lapis said.

Last year, assemblymembers **Jacqui Irwin** and **Lori Wilson** introduced **Assembly Bill 762**, a law that would ban single-use plastic vapes entirely. Lapis says he expects the Legislature to address the risk of vapes this year.

Large-scale lithium-ion batteries present great danger of a different kind.

During the Los Angeles fires, dangerous lithium-ion batteries, including from electric vehicles, **were left behind** — resulting in a major cleanup operation by the Environmental Protection Agency.

And almost a year ago, a fire burned at a battery storage site in Moss Landing for two days, requiring more than 1,000 people to be evacuated. Monterey County neighbors to the facility have **complained of feeling sick** since the fire, and a recent study detected toxic metals in nearby marshes.

In 2024, Newsom established a **collaborative** of state agencies, including the California Air Resources Board and the California Department of Forestry and Fire Protection, to look into safety solutions for battery storage technologies. New CalFire regulations for battery storage systems **will take effect** this year.

Finding ways to properly dispose of batteries and their lithium in the waste stream is critical as the state transitions away from fossil fuels, said Meg Slattery, a scientist for Earthjustice.

“The next question becomes … where are we sourcing materials, and thinking through what happens to this when we’re not using it anymore, which I think we’re not traditionally great at thinking about as a society,” she said.