August 4, 2022

The Honorable Anthony Portantino  
Chair, Senate Appropriations Committee  
State Capitol, Room 412  
Sacramento, CA 95814

Re: AB 2440 (Irwin) Responsible Battery Recycling Act of 2022 – SUPPORT

Dear Chair Portantino:


We, the undersigned organizations, are pleased to support AB 2440 (Irwin), which would create a convenient, statewide, producer-run collection and recycling program for loose and product-embedded batteries.

Due to the hazardous metals and corrosive materials that batteries contain, California classifies batteries as hazardous waste and bans them from solid waste landfills. When consumers are done with their loose batteries and portable electronics, they must collect, sort, and ultimately find an appropriate disposal option. Unfortunately, California currently lacks a streamlined and convenient collection and recycling system for batteries and batteries embedded in products.

Because of a combination of increased consumption and a lack of convenient disposal options, higher levels of toxic batteries and products are entering the waste stream. When improperly discarded, lithium-ion (Li-ion) batteries in particular pose serious fire, health, and safety hazards. The influx of improperly disposed of Li-ion batteries into the waste stream has resulted in an alarming number of materials recovery facilities (MRFs), waste collection trucks, and landfills experiencing fires.

Oftentimes, Li-ion batteries are embedded in and irremovable from products, including portable electronics, such as phones, laptops, and power tools. When loose Li-ion batteries or Li-ion batteries embedded in products experience intense physical pressure – which is common in California’s waste processing system – the batteries can spark a fire or even explode. A 2018 California Product Stewardship Council survey found that 20 of the 26 MRFs surveyed experienced at least one fire during the previous two years, 65% of which were attributed to discarded batteries and 40% of those batteries were identified as Li-ion.\(^1\)

For the average consumer, it can often be difficult to distinguish between chemistries of batteries, such as alkaline, nickel cadmium, and Li-ion. Therefore,

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to ensure the proper disposal of all battery chemistries and reduce the fire and safety risk, AB 2440 would require free collection for most loose and product-embedded batteries at convenient locations across the state. AB 2440 would also encourage manufacturers to be more responsible for the life cycle of their products by creating a producer-run program. Lastly, AB 2440 would support a circular economy by battery recycling to the extent that is economically and technically feasible.

Manufacturers must be more responsible for the products they create – both loose batteries and ones embedded in other products – if we are going to protect our workers, communities, the environment, and waste management infrastructure from battery-related fires.

For these reasons, we are pleased to support AB 2440 (Irwin).

Sincerely,

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Director, Government Affairs
Republic Services

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Legislative Advocate
Rural County Representatives of California
Emily Barnett  
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Central Contra Costa Sanitary District (Central San)  

Ken Etherington  
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City of Thousand Oaks
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