



## SENATOR JOSH NEWMAN (SD-29)

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### SB 1215 (Newman): Responsible Battery Recycling

**Co-Sponsors:** RethinkWaste  
California Product Stewardship Council  
Californians Against Waste

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#### SUMMARY

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Because of the hazardous metals and corrosive materials contained in batteries, California classifies batteries as hazardous waste, and on that basis bans them from solid waste landfills. When improperly discarded, lithium-ion (Li-ion) batteries, in particular, pose serious fire, health, and safety hazards. Unfortunately, as the result of a combination of increased consumption coupled with a lack of convenient disposal options for end users, ever higher numbers of toxic batteries are entering the waste stream. Among other negative consequences, this has resulted in an alarming number of fires in material recovery facilities, waste collection trucks, and landfills caused by improperly disposed of Li-ion batteries. Such fires not only pollute the atmosphere and surrounding areas while causing extensive damage to city and county waste collection vehicles, equipment, and facilities, they also endanger the lives of workers involved with the handling of consumer waste.

SB 1215 will replace the current, labyrinthine and unsafe process for battery disposal with a safe, convenient, and accessible system for consumers to safely dispose of depleted batteries.

#### ISSUE

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Li-ion batteries are rechargeable batteries that deliver high levels of energy in relation to their size. Their combination of high energy density and lightweight allows them to efficiently power portable electronics such as phones, laptops, toys, and power tools.

While Li-ion battery reactivity allows for the storage of high energy in small units, that otherwise valuable attribute also makes them dangerous when mishandled. When a Li-ion battery is crushed or punctured, it can overheat and even explode.

Resource Recycling Systems estimates that 75% to 92% of expended Li-ion batteries are discarded improperly. Moreover, as the result of innovations in manufacturing and packaging, Li-ion batteries have made it harder for the average consumer to distinguish and segregate them from other trash going into the waste stream. As evidence, in a recent examination of the workflow of a single materials recovery facility (MRF) in California, on average 11 loose Li-ion batteries per hour were found in the waste stream, attesting to the serious fire and safety risk that improperly disposed of batteries present. According to a 2018 California Product Stewardship Council, 20 of 26 MRFs surveyed experienced at least one fire during the previous two years, 65% of which were attributed to discarded batteries, with 40% of those batteries identified as Li-ion.

(Updated 2/23/22)

Such fires can be catastrophic. In 2016, a Li-ion battery ignited a fire inside RethinkWaste's MRF in San Carlos. The resulting blaze caused nearly \$8.5 million in damages and forced the facility to close for 90 days. Since that fire, RethinkWaste has been forced to secure full insurance coverage through a combination of separate policies with seven different companies, resulting in a roughly 700% increase in premium costs. If another fire occurs, RethinkWaste may be unable to secure 3<sup>rd</sup> party insurance coverage moving forward, and the prohibitive costs of self-insuring may force the facility to close permanently.

Without dramatically reducing the number of Li-ion batteries entering California's waste stream, waste handlers throughout the state will undoubtedly suffer additional fires that will jeopardize MRF operations and which could also result in severe injuries or loss of life.

A more efficient, end-to-end system for battery disposal in California which effectively facilitates proper collection and sorting of Li-ion and other batteries offers an opportunity for the safe and efficient recycling and reuse of the valuable and finite minerals inside the batteries, while simultaneously reducing toxic environmental impact and supporting economic growth.

## **SOLUTION**

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Under its provisions, SB 1215 will create a collection and recycling program that more efficiently and effectively collects used batteries while ensuring that improperly disposed of batteries will no longer pose a danger to the companies and employees charged with managing our waste stream. Key aspects include:

- Consumer access to free and easily accessible battery collection sites at select locations across the state.
- Acceptance of loose and product-embedded batteries for all common household battery types, including Li-ion, alkaline, nickel-cadmium, and nickel-metal hydride batteries in order to avoid consumer confusion.
- Requirement for the producers of batteries and product-embedded batteries sold in the state to develop, finance, and implement this program in collaboration with CalRecycle to recover and recycle their products.

## **SUPPORT**

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RethinkWaste (Sponsor)

California Product Stewardship Council (Sponsor)

Californians Against Waste (Sponsor)