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Governor Inslee signs ground-breaking Washington State battery recycling bill

Most comprehensive bill in the nation that addresses all battery types

Olympia, WA – Governor Jay Inslee today signed a new law ([SB 5144](#)) that will provide battery recycling across Washington under a producer responsibility program. The bill came to him with strong bipartisan support with the Senate voting 42-6 and the House 57-40.

The bill begins the program by recycling small, portable primary and rechargeable batteries first starting January 1, 2027. Then, beginning January 1, 2029, medium format batteries will be included in the recycling program. Medium format batteries are primary batteries weighing more than 4.4 pounds but not more than 25.0 pounds, and rechargeable batteries weighing more than 11.0 pounds but not more than 25.0 pounds (with specific wattage thresholds). Larger batteries will be subject to a study by the Washington State Department of Ecology that must be completed by July 1, 2027.

Washington becomes the 10th jurisdiction to adopt a product stewardship program for batteries and is the most comprehensive. Most of the older laws only cover limited chemistries of batteries. In the last two years, Washington DC and California passed similar laws but are limited to regulating smaller, portable batteries. Washington's law differs in that medium-sized batteries, such as those in e-bikes, scooters, and larger outdoor power equipment are also included.

The bill is a result of an extensive stakeholder process in the fall of 2022 led by Senator Derek Stanford (D-Bothell).

"Senator Stanford's strong commitment to this landmark legislation will put the State of Washington at the forefront of battery Extended Producer Responsibility," said PRBA Executive Director George Kerchner. "He was able to balance the interest of many stakeholders during the long and complex legislative process and should be applauded for his efforts."

"I am thrilled that our new law is the most advanced in the nation," said the bill's primary sponsor, Senator Derek Stanford. "As we move into a renewable energy future, it is important that we recycle critical minerals, such as lithium, cobalt, manganese, nickel, and graphite into new batteries and other products."

"This new law will make it easy for residents and businesses across the state to recycle batteries at convenient drop-off locations," said Representative Chipalo Street (D-Seattle) who championed the bill in the House. "Batteries will now be banned from our garbage and recycling bins so that we can reduce fires in our solid waste system."

Ashley Evans, Policy Advisor for the Hazardous Waste Management Program in King County further explained, "With increasing numbers of batteries entering the waste management system due to the growing demand for portable electronic devices and renewable energy storage systems, it's crucial to establish an effective system for managing them. This law will make battery recycling more accessible for our community, helping us avoid potential hazards and move towards a more sustainable future."

Lithium-ion batteries can cause significant fires when they get damaged as they are jostled in garbage or recycling trucks and infrastructure.

“Removing batteries from the recycling, compost, and landfill streams is critical to improving safety for Recology’s employee owners as batteries put into the waste stream by consumers can and have caused fires in our vehicles and facilities when compacted or compressed,” said Logan Harvey, Government Relations and Sustainability Manager with Recology King County.

Preston Peck, City of Tacoma Recycle Reset Project Lead elaborated, “Over the recent years, the City of Tacoma’s Environmental Services has had an increase in fires in our collection vehicles and at our transfer center because of improper battery disposal. This law will allow us to create a system that encourages responsible battery management, protect solid waste employees, and help to fund access to collection programs across the state.”

Andrew Lee, General Manager/CEO, Seattle Public Utilities continued, “SB 5144 will result in more batteries being recycled and fewer batteries ending up in the landfill. As batteries have become more common in consumer products, our staff have increasingly had to deal with these dangerous materials. Keeping them out of the trash will prevent fires at our transfer stations and toxic pollution in landfills while also recycling valuable materials and moving us closer to Seattle Public Utilities’ Zero-Waste Vision.”

Under the new stewardship program, consumers will not be charged a point-of-sale fee when they purchase batteries. Instead, the statewide recycling program will be managed by a battery stewardship organization that is funded by battery manufacturers and brands. The organization will be required to conduct extensive public education and use strong measures to ensure safety of the handling of the used batteries.

“This law will increase access to recycling of an increasingly dangerous product. Batteries are getting more powerful every year. While this is great from a convenience and technological point of view, it has placed unique safety burdens on solid waste systems around the country,” said Rick Gilbert, Program Analyst at Kitsap County Solid Waste Division. “Now, with the self-funded infrastructure and coverage of both recycling and labor costs, Washington state residents will be able to more easily turn their used batteries in to locations that are specifically suited to taking and recycling them safely.”

By November 30, 2023, Ecology will study and make preliminary policy recommendations to the legislature about recycling electric vehicle batteries.

“We anticipate an EV battery recycling bill will be introduced in next year’s legislative session in Washington,” said Heather Trim, Executive Director, Zero Waste Washington. “This year we heard many complaints that SB5144 didn’t go ahead and include recycling of EV batteries. These batteries are piling up at auto wrecking yards and we need the critical minerals in these batteries to make new batteries.”

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