



Battery Recycling Labeling Informal Workshop

Dry Cell Battery Management Act - Rulemaking

November 8, 2019

Agenda

- Opening Remarks
- Current problems related to Rechargeable Batteries
- Dry Cell Battery Management Act and Suggested Language
- Scope, Process, and Timeline
- General Comments, Next Steps and Close

Opening Remarks

- Welcome and housekeeping
- Purpose of the workshop

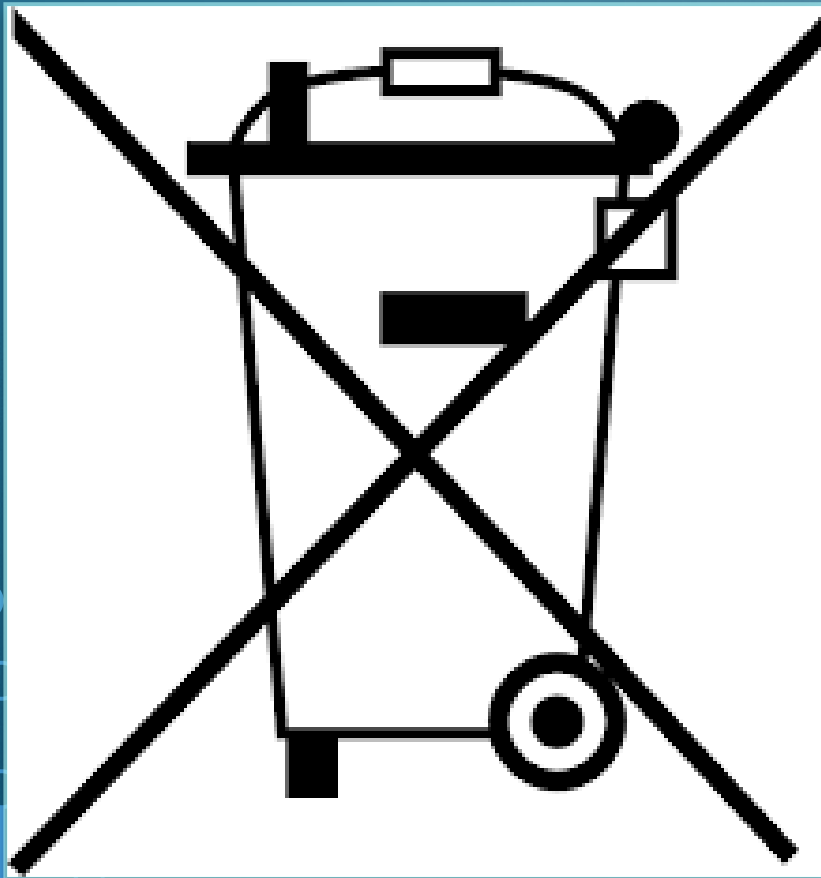
Current problems related to Rechargeable Batteries - Video

- ecomaine Lithium-ion battery fire in Portland, Maine
- <https://www.youtube.com/watch?v=WsUjSE-ibKo>

Current problems related to Rechargeable Batteries

- South Bayside Waste Management Authority (SBWMA) Lithium-Based Battery Assessment
- Labeling as a piece of the infrastructure puzzle

COMMON LABELING RIGHT NOW



Dry Cell Battery Management Act

- Public Resources Code Sections 15000 – 15029
 - Chapter 2 Definitions – Sections 15002 – 15012
 - Chapter 3 Removal and Labeling Requirements – Sections 15013 - 15018

PRC 15013 (c)

[CalRecycle] may adopt **regulations** that require **substantially similar labeling requirements** for rechargeable **batteries with chemistries that are different from those covered by subdivision** (a) and the battery packs and products containing those batteries.

Any regulations shall be adopted, amended, or repealed in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

PRC 15015(A)

Rechargeable Battery

means any dry cell battery containing an electrode composed of cadmium or lead, or any combination thereof, of any shape that is designed for reuse, and is capable of being recharged after repeated uses.



PRC 15011

Rechargeable Consumer Product

Any product, including any laptop computer or cordless electric tool or appliance, which, **when sold at retail, contains, or is sold with, a rechargeable battery as its primary power supply**, and that is commonly used for personal or household purposes. A rechargeable consumer product does not include remanufactured products.

PRC 15013(a)(1) and (2)

On and after January 1, 1995, **no person shall sell or offer for sale** in this state any **rechargeable consumer product unless** the product **meets all** of the following requirements:

(1) The rechargeable battery is **easily removable** from the rechargeable consumer product or is contained in a battery pack that is easily removable from, the product.

(2) The rechargeable consumer product and the rechargeable battery are **labeled in accordance with subdivision (b)**.

PRC 15013(a)(3) and (4)

On and after January 1, 1995, **no person shall sell or offer for sale** in this state any **rechargeable consumer product unless** the product **meets all** of the following requirements:

(3) The rechargeable battery, battery pack, or rechargeable consumer product, if the product has a **nonremovable rechargeable battery, has a brand name affixed to it.**

(4) The **instruction manual** for the rechargeable consumer product includes **information regarding the proper recycling or disposal** of the used rechargeable battery.

PRC 15013(b)

...each rechargeable battery, consumer product package containing a rechargeable battery or battery pack, and the package for each such item, shall meet all of the following requirements:

(1) Be labeled in a conspicuous manner that is visible to consumers.

(2) **Include the chemical name** or the standard abbreviation for the chemical composition of the battery or battery pack.

(3) **Contain the following statement:**

- (A) On each easily removable battery or easily removable battery pack:

- **“NICKEL-CADMIUM BATTERY. MUST BE RECYCLED OR DISPOSED OF PROPERLY.” OR “SEALED LEAD BATTERY. MUST BE RECYCLED OR DISPOSED OF PROPERLY.”**

PRC 15013(b)(3)(B)

...each rechargeable battery, consumer product package containing a rechargeable battery or battery pack, and the package for each such item, shall meet all of the following requirements:

(3) Contain the following statement:

- (B) On each rechargeable consumer product, granted an exemption pursuant to Section 15014, without an easily removable battery or battery pack:
- **“CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY.” OR “CONTAINS SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY.”**

PRC 15013(b)(3)(C)

...each rechargeable battery, consumer product package containing a rechargeable battery or battery pack, and the package for each such item, shall meet all of the following requirements:

(3) Contain the following statement:

- (C) On the packaging of each rechargeable consumer product, rechargeable battery, or battery pack, unless the specified label is clearly visible through the packaging:

• “CONTAINS NICKEL-CADMIUM BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY.” OR “CONTAINES SEALED LEAD BATTERY. BATTERY MUST BE RECYCLED OR DISPOSED OF PROPERLY.”

PRC 15013(b)(4)

...each rechargeable battery, consumer product package containing a rechargeable battery or battery pack, and the package for each such item, shall meet all of the following requirements:

(4) The label and messages specified in paragraphs (1), (2), and (3) shall **use contrasting colors** to differentiate the label message and background to **enhance readability**.



PRC 15013(d)

- (d) Any violation of this section is a misdemeanor.
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PRC 15014 Exemption Process

CalRecycle may grant an exemption of up to two years to a manufacturer if it finds:

the manufacturer has been unable to commence manufacture of the rechargeable consumer product in compliance with this chapter and with an equivalent level of product performance without causing either of the following:

- (1) Danger to human health and safety or to the environment.
- (2) Violation of requirements for approvals from governmental agencies or the Underwriters Laboratories or a similar widely recognized private standard-setting organization.

Exemption Extensions

(e)...in considering an extension of any exemption, [CR] shall evaluate **whether other** rechargeable consumer product **manufacturers have developed technology or methods** that permit access to the rechargeable battery in the same or similar type application.

Information helpful to CalRecycle

- Number of Li-ion batteries sold in California
- Collection/recycling rate data
- Collection/processing infrastructure data
- Economic and environmental impacts
- Consumer education confusion/International labeling
- Costs and timeline for labeling

Proposed Scope

- Household and commercial/industrial consumer product batteries from button size, up to and including large power tool sizes. Tech batteries in items such as smart/cell phones, laptops, tablets, digital cameras, video cameras, e-readers, gaming devices, and mp3 players will be included. Batteries used in transportation and for back-up will be excluded.

Questions for Stakeholders : Battery, Product, and Packaging Labeling

Current Label:

“Nickel-cadmium battery. Must be recycled or disposed of properly.”

Suggested Labels:

“Hazardous Lithium-ion battery. Must be recycled or disposed of properly at a hazardous waste facility.”

“Hazardous Lithium-ion battery. Recycle at proper facility.”

“Contains hazardous Lithium-ion battery. Must be recycled properly.”



Questions for Stakeholders: Labeling Timeframe

- Time needed to change the labels -
 - Sales based? Less/more than \$1 Million worth
 - Volume based? Less/more than 1 Million batteries
 - Product based? Size, weight, shape

Questions for Stakeholders: Labeling Costs

- Cost for changing the labels –
 - Sales based?
 - Volume based?
 - Product based?

Questions for Stakeholders: Exemptions

- How many might apply for the exemption in statute?

Discussion

- Other ways to reduce potential of fires, increase recycling, increase public awareness. Ex. MRF process, education campaign.
- Alternatives to labeling. Ex. Recycling return box included.
- Product design. Ex. Fire-retardant design.

Process and Timeline

- Process - Analyze data, questions/comments and feedback from workshop
- May conduct surveys, additional workshops, etc. before introducing draft language
- Timeline – No current deadline for introducing formal rulemaking

General Comments, Next Steps and Close

- Comments
- Next Steps
- Close

Staff contact

- Send comments and questions to Uwaste@calrecycle.ca.gov