

# Pacific Power Batteries

To the Commission for Battery Stewardship and Recycling Oct. 15, 2024

Dear Commission Members,

We are a family-owned battery retailer and wholesaler of many different types of batteries and battery-related products. We have been selling batteries to the public, commerce, and to resellers of all types batteries for 39 years, employing 30+ employees between the 7 retail stores here in WA. Our website is [www.pacificpowerbatteries.com](http://www.pacificpowerbatteries.com) . We have lots of questions that have not been answered or even addressed in a language that we can understand. Your document is incredibly complicated, yet leaves many questions. For example:

1. WHO might or might not need to BE a "Battery Steward?" Specifically, who will need to pay a one-time fee of \$50k plus an ongoing (undetermined) annual cost? But wait! We have more questions.

2. Why are you trying to penalize those of us who are already promoting battery recycling from the general public as well as those to whom we sell batteries? This program is huge! Why not promote and reward battery recycling rather than create a bureaucracy and complex set of rules that controls and taxes the collectors and manufacturers? Why would we be motivated any longer to accept batteries for recycling from the general public if it's costly and burdensome?

3. What about companies (like ours) that buy "black box" (no label other than the required haz-mat warnings) auto, marine, and commercial lead-acid (including AGM) batteries from various international manufacturers and retail them all under our own labels? Some of our auto batteries are made in The USA and some are from Korea, Colombia, The Philippines and all over. We apply our own trademark-registered names so the customer knows where they bought them. We do not necessarily represent any particular manufacturer and neither do Interstate Batteries, Auto Zone, or Costco for that matter. Many battery manufacturers don't make every group size of automotive battery so they buy them from various other sources (often from Korea, Mexico, or China).

4. Many of today's lithium-ion marine, 12v, BCI sized auto and marine as well as golf cart sized (48v) batteries are made in China but assembled with Battery Maintenance Systems here in the USA. So who's the "battery steward" there? What about the Chinese battery manufacturers who are selling and shipping batteries directly to their customers through Facebook or Instagram? Who is the "Battery Steward" there? You don't seem to have anything in place for online, direct marketers. We don't want to be the only business selling batteries to WA residents who get stuck with having to comply with this program.

5. Currently, Amazon is selling automotive and marine lead-acid batteries from their website and is not compliant with WA laws regarding the one-for-one core requirements. Are you going to continue to allow that? Will all of your laws be the same for Amazon as every other vendor of various batteries?

6. My wife, son and I have attended your webinar held back in June or July and found it to be difficult (if not impossible) to ask questions for clarification, understand who represents what, and why we are not part of a normal or even a Zoom conversation? It's not an open discussion if we are required to submit questions in writing during the seminar. A conference call like the ones that you have hosted is like a meeting in a dark room: we can't identify who may or may not even be in the battery business. Most people don't have any idea how batteries are bought and sold today.

7. We do not believe that submitting our questions or concerns by texting in the comments area during the webinar is effective. By the time a question can be typed, the conversation has moved along. We have plenty of questions and are not going to start asking questions to a group that has

probably already covered the topic.

8. We feel as though we, as small business owners, are being forced into a program that will definitely affect our livelihood as small business owners. Why do you not contact us and include us in how programs currently work?

9. We need to talk with someone on the commission who can answer our questions (while on a recorded line) and understand some of our concerns.

10. During your "open comment time period" we have been unable to copy and paste any of the pdf regulations for referencing questions. This is unfair because it takes a lot of time to refer to the subjects of our questions. When I started to write my questions, I found it difficult to refer to a specific sentence or paragraph without the ability to copy, paste and follow up with a question. We need the read-along copy to be copy and paste-able.

11. You seem to be ignoring the huge impact to small, brick and mortar businesses like our own. We have been battery specialists since 1985 and believe that you are too close to closing the comment time before considering our concerns. Therefore, we request:

12. Our questions be answered by someone in person; That the deadline for comments and questions be extended and that we have a seat at the table. We would also like to see some other battery specialists, like us, involved in this process. I can round up a few.

13. That we not be required to ask our questions in an open forum only. Some of our questions would be considered "basic" and require follow up questions such as "why is that?" And "have you considered" and "how will this apply to those businesses like ours that buy from our own buying group?" "What about those batteries that we are wholesaling to our smaller resellers in small communities?"

14. We are deeply concerned that the costs of your regulations will adversely affect us if we cannot pass the costs of "battery stewardship" and administrative costs on to our customers as a line item. Why would you not allow the cost of battery stewardship or recycling be passed along to the customers? Are you thinking that we, as a small, brick and mortar (and online) vendor of batteries have lots of extra profits in some big slush account from which we can access to pay for the added costs?

15. You may not understand how batteries are bought and sold in today's one and two-step marketplaces, re-branding markets, and how direct suppliers and marketers AND the likes of Amazon and Walmart sell batteries. Perhaps you aren't thinking of the small wholesalers who buy low somewhere in Nebraska or Delaware and sell either to other retailers or end-users. We believe that the out-of-state small and large on-line retailers will not pay any of their fair share.

16. Please don't count us out. We are a family-owned battery retailer and wholesaler business since 1985. We demand a voice. I hope that we are not "late to the party" with respect to this process but we want to help you simplify this process, make it more understandable, and be allowed to pass the costs of this weighty program on to the consumers who buy batteries from ALL marketplaces (online and from retail establishments). We are busy running our business but you have our attention and we can also bring other battery specialists like ourselves to help. We comply with each and every law and ordinance already and fear that this "freight train program" will put us out of business if we don't have some real input.

With best regards,

Pacific Power Batteries

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