



City of Tacoma
Environmental Services Department

March 28, 2025

Washington State Department of Ecology
Attn: Megan Warfield, Risk Waste Coordinator
300 Desmond Drive SE
Lacey WA 98504-7775

Subject: City of Tacoma Support, Battery Stewardship Program; 173-905 WAC

Dear Megan Warfield:

Thank you for the opportunity to provide comments on the draft of Chapter No. 173-905 WAC (Battery Stewardship Program). As a municipal service provider that sees the impacts of improper battery management on a regular basis, the City of Tacoma's Solid Waste Management (SWM) was deeply involved in the original development of SB5144 and remains committed to the success of the future Battery Stewardship Program.

Below are our comments with suggested revisions for your consideration:

Section: WAC 173-905-030 Definitions:

Current Draft Language:

“Demonstrable costs” means costs that a local government incurs as a result of a local government facility serving as a collection site under an approved battery stewardship plan minus any permitting or licensing fees associated with that collection site paid to a local government by the battery stewardship organization. Demonstrable costs are negotiated between a local government and a battery stewardship organization and may include:

- (a) ***Labor costs associated with sorting collected batteries;***
- (b) ***Labor and material costs associated with packaging collected batteries for transport;***
- (c) ***Transportation and consolidation of batteries from satellite sites;***
- (d) ***Storage containers unless they are provided directly by the battery stewardship organization;***
- (e) ***Transportation to a battery stewardship organization's vendor, if cost effective;***
- (f) ***Recycling costs for batteries collected at collection events; and***
- (g) ***Overhead costs agreed to between the local government and battery stewardship organization.***

Comments:

We appreciate the Department's efforts to provide some meaningful structure around demonstrable costs, as one of SWM's largest concerns was with who would bear the costs associated with the program. Although the Department's efforts are well intentioned, we believe that broadening the language to reference the original statute language (below) would provide local jurisdictions the flexibility to capture more costs in contracting with a Battery Stewardship Organization (BSO). For example, SWM's current Household Hazardous Waste Facility is practically at capacity for processing and storage.

We anticipate a five time increase in battery collection once the program is implemented, so could foreseeably need to expand our facility to help with collection and storage. We believe that the BSO should cover costs such as labor, materials, and other related costs that are demonstrably associated with the expansion if it is needed to participate as a collector in the program.

From Section 7, Part 3(a) of E2SSB5144: *"Except for costs incurred by a local government or local government facility exercising the authority specified in section 27 8(4)(c) of this act, each battery stewardship organization is responsible for all costs of participating covered battery collection, transportation, processing, education, administration, agency reimbursement, recycling, and end-of-life management in accordance with the battery management hierarchy and environmentally sound management practices."*

Suggested Language:

"Demonstrable costs" means costs associated with battery collection, transportation, processing, education, administration, recycling, and end-of-life management that a local government incurs under an approved battery stewardship plan minus any permitting or licensing fees associated with that collection site paid to a local government by the battery stewardship organization.

Section: WAC 173-905-400 Plan Contents

Current Draft Language:

(10) Local Government Coordination. The plan must describe how the stewardship organization will communicate and coordinate with local governments in implementation of the program including:

- (d) Procedures that a local government must follow to coordinate with a battery stewardship organization on education and outreach efforts.

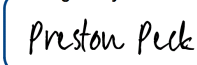
Comments:

We appreciate the Department's efforts to encourage local government to coordinate with the BSO, however we are unaware of any language in E2SSB5144 that **requires** local government to coordinate with a BSO approved procedure. We suggest that the Department revises the language to encourage coordination without requiring it. In practice, local governments should and will coordinate with the BSO on education and outreach efforts to help maximize effectiveness, but we do not believe the statute requires that local government follow a BSO set procedure for coordination efforts.

Suggested Language:

- (d) Procedures that a local government may follow to coordinate with a battery stewardship organization on education and outreach efforts.

Sincerely,
Signed by:


Preston Peck

Sustainability Analyst, Senior
City of Tacoma, Environmental Services