JMC Japan Machinery Center for Trade and Investment

September 8th, 2025

Washington State Department of Ecology
300 Desmond Drive SE,
Lacey, WA 98503

Chapter 173-905 WAC - Battery Stewardship Program: JMC Comments

Dear Sir or Madam,

The Japan Machinery Center for Trade and Investment ("**JMC**") is a non-profit organization with the character of a public-interest corporation. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 230.

Our committee handles environmental and product safety issues regarding products for trade and is strongly concerned with overseas environment- and product safety-related regulations on products. From this standpoint, we would like to send our comment on Battery Stewardship Program Rulemaking- Chapter 173-905 WAC.

If you have any questions, please feel free to contact our secretariat (Ms. Akari Shiga, E-mail: shiga@jmcti.or.jp).

Sincerely yours,

Kanno Yasuhiko

KANNO Yasuhiko
Chairman
Environment Law Committee

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Chapter 173-905 WAC - Battery Stewardship Program: JMC Comments

We welcome the opportunity to participate in public comments on the proposed rule language in Chapter 173-905 WAC - Battery Stewardship Program.

WAC-173-905 - Washington State Department of Ecology

We would like to request the following modifications to the proposed regulations under Chapter 173-905 WAC - Battery Stewardship Program published on July 23, 2025.

1. With respect to the indication that batteries should not be disposed of as household waste

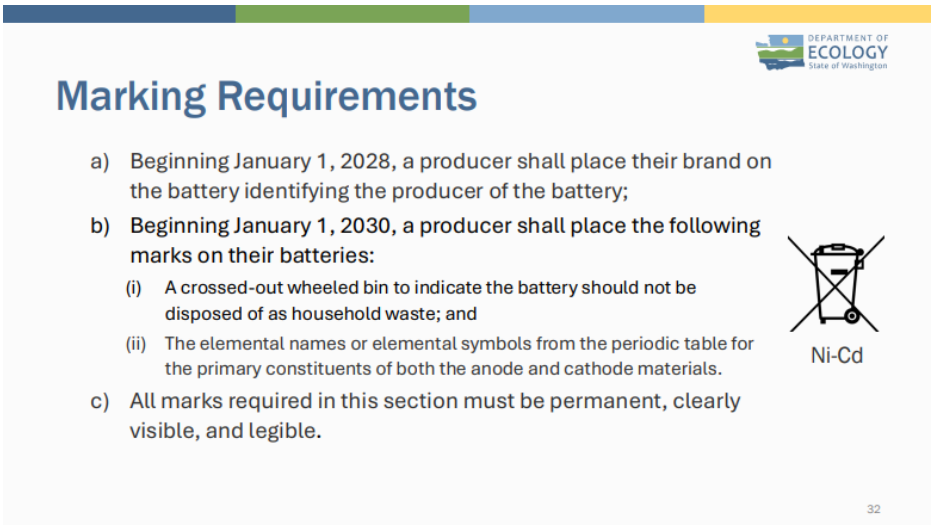
WAC 173-905-310 (2)(b) proposes a crossed-out wheeled bin symbol as an indication that batteries should not be disposed of as household waste. In many cases, a worldwide design is adopted for batteries, and it is necessary to efficiently include the markings required in the laws of various countries and regions worldwide in a limited space. Therefore, mandating a new marking or text should be avoided where possible.

2. In the case of displaying of the crossed-out wheeled bin symbol

Even if the display of the crossed-out wheeled bin symbol is mandated, we would like to stress that there should be no deviation of designs by laws in different countries or regions, which would cause confusion to customers and enforcement authorities.

For example, in the following presentation material of the Department of Ecology, slide 32 shows an example of marking of a symbol (presented at a webinar on 6 March 2025).

https://fortress.wa.gov/ecy/ezshare/SWM/Rulemaking/Battery-Rule-Advisory-Committee-Meeting-6-PPT.pdf



This marking layout should be avoided. The EU Battery Directive and EU Battery Regulation require that batteries containing cadmium or lead above a certain threshold shall be marked with "Cd" or "Pb" respectively along with the crossed-out wheeled bin symbol. Chemical symbols in proximity to the crossed-out wheeled bin symbol used for a different purpose would cause confusion among customers and enforcement authorities in Europe.

Manufacturers would be forced to adopt different markings for batteries sold in different areas, resulting in a considerable administration burden, additional operational cost and possibly the discarding of unused batteries, which would have negative environmental impact.

3. Chemistry of the battery

WAC 173-905-310 (2)(c) requires that the chemistry of a battery shall be expressed as "The elemental names or elemental symbols from the periodic table for the primary constituents of both the anode and cathode materials."

We propose to amend this requirement. A battery's chemistry information is generally labelled as lithium, lithium ion, carbon zinc, alkaline manganese, manganese oxide, nickel cadmium, nickel metal hydride, etc., and this widely accepted description should be acceptable.

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