



August 25, 2025

Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504

Re: Battery Stewardship Program Rulemaking

To Chris Fredley:

Thank you, again, for the opportunity to provide feedback and industry perspective as it pertains to the implementation of the Battery Stewardship Program in Washington state.

Since the last workshop, we have been in touch with the state's Department of Ecology and were told that battery collection programs independent of the stewardship program can continue to occur in the same way they currently do now with notification to the Department of Ecology and local counties and annual reporting. The new regulations only cover the battery stewardship program and do not include or exclude independent collection operations. However, due to this new law, the new section in the administrative code **WAC 173-905-510 (regarding General Battery Disposal and Collection Requirements)**, states all persons shall dispose of unwanted covered batteries through one of the following disposal options:

- (a) disposal using the collection sites established by the battery stewardship program.
- (b) for regulated generators, they can continue to dispose of batteries consistent with the requirements they are already complying with.
- (c) disposal using local government collection facilities.

Although this new law does not include or exclude independent collection operations, as its purpose is to establish and administer the operations of the battery stewardship program, this provision points to the management of all covered batteries throughout the state. The stated options for how a person can dispose of unwanted covered batteries do not include independent battery collection programs that are privately funded outside of the Battery Stewardship Program.

Additionally, WAC 173-905-120 states that stewardship plans must include a description of how the battery stewardship organization will coordinate with other

battery collectors and electronic waste recyclers to provide efficient delivery of services. This language suggests that other battery collectors are expected to exist outside of the battery stewardship organization.

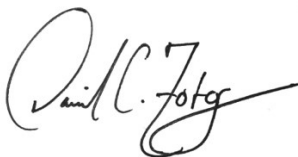
These two sections imply contradictions and create some confusion given the guidance we have received from the department thus far. To solve for this, we ask that some clarifications be included in the rulemaking language. Even **a simple addition** to WAC 173-905-510 (regarding General Battery Disposal and Collection Requirements) would make clear the options available to consumers who are looking to dispose of unwanted covered batteries in the state:

(d) “Nothing in this policy prohibits independent collection of batteries, or for person to dispose of unwanted batteries using private collection programs, providing they comply with all federal, state, and local regulations.”

Washington state law already requires that independent, privately funded collections must be registered with the state through the notice of intent to collect and require an annual report of materials collected to the Department of Ecology. The addition of this line would allow for collection opportunities to be maximized for public convenience. The continued absence of this language, however, will eliminate collection events and programs that have already diverted tons of batteries from the solid waste stream, all with no additional cost to the state or the consumer.

We appreciate the opportunity to share our perspective and the tangible results of our collection and recycling initiatives. Should you have any questions or require more details on our programs and their impacts, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel C. Zotos". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Daniel C. Zotos
Director of State Policy & Public Affairs
Redwood Materials
