



City of Tacoma  
Environmental Services Department

September 3, 2025

RE: Battery Stewardship Program's Draft Rules

The City of Tacoma's Environmental Services Department appreciates the opportunity to provide comments on the draft of Chapter 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 this was one of SWM's largest concerns 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 RCW 70A.555.060 4(a):** *“Except for costs incurred by a local government or local government facility exercising the authority specified in RCW 70A.555.070(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 173-905-120 Plan Contents

**Current Draft Language:**

(5) **Education and outreach.** A description of the communications strategy the battery stewardship organization will use to promote the program to consumers, retailers, and others. The plan must include:

- (e) A description of outreach efforts to specifically target overburdened communities and vulnerable populations identified by ecology

**Comments:**

We appreciate the Department including this language as a requirement in the plan contents, but we believe that it lacks specificity on how the BSO should go about engaging with these communities. Additionally, there is no reference in the proposed rules to the requirement to include meaningful consultation with communities to inform those outreach efforts. This is extremely important to a community such as Tacoma that has a disproportionately higher population where English is not the primary language spoken at home relative to the many other areas in Western Washington.

**From RCW 70A.555.080 (f):** *“And implementation of outreach and educational resources targeted to overburdened communities and vulnerable populations identified by the department under chapter 70A.02 RCW that are conceptually, linguistically, and culturally accurate for the communities served and reach the state's diverse ethnic populations, including through meaningful consultation with communities that bear disproportionately higher levels of adverse environmental and social justice impacts.”*

**Suggested language:**

- (e) A description of planned activities to gather meaningful consultation on education and outreach from overburdened communities and vulnerable populations identified by ecology and a description of planned activities that are conceptually, linguistically, and culturally accurate to reach overburdened communities and vulnerable populations identified by ecology;

(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 RCW 70A.555.060 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. Changing the language will allow for flexibility of local governments to meet the needs of their community and allow for coordination with broader messaging from the BSO.

Suggested Language:

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

Please do not hesitate to reach out to me at [ppeck@tacoma.gov](mailto:ppeck@tacoma.gov) if you have any questions about our comments or otherwise.

Best Regards,

Signed by:



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Preston Peck, Senior Sustainability Analyst  
Environmental Services Director's Office  
City of Tacoma

