



City of Tacoma
Environmental Services Department
Public Works Department

August 24, 2026

To: Department of Ecology
300 Desmond Drive SE, Lacey, WA 98503

Re: The Battery Network Program Plan

Thank you for the opportunity to comment on the proposed program plan draft by The Battery Network for implementing the upcoming the state's battery stewardship program. Our staff has worked on drafting and testifying in support of the original bill and has been actively involved in the rulemaking process for implementation of this law. Staff has also had broad as well as individual conversations with staff from The Battery Network (TBN) regarding our concerns about how TBN intends to carry out the program. In reviewing the draft program plan, we believe that TBN is prioritizing cost-efficiency for their operations and producers over increasing access and service level delivery to Washingtonians, which is not in the spirit or the language of the law. The goal of the law is to create a statewide collection system for covered batteries that is accessible, convenient, and minimize costs for all Washingtonians.

Our overall assessment of the proposed draft program plan is that it should not be approved by Department of Ecology for the following reasons:

- **The proposed reimbursement does not cover the demonstrable costs that local government collection sites incur.**
- **The proposed budget does not seem sufficient, e.g., it does not include disposal costs for material that cannot be recycled.**
- **The proposed plan does not identify how TBN will meet the Convenience Standards.**
- **The proposed Performance Goals do not achieve meaningful progress in improving public awareness and collection rates.**
- **The Plan does not respect the Battery Management Hierarchy – it should describe Waste Prevention and Reduction; and Reuse activities**

The law is clear in what was required in the program plan, and TBN has not met that threshold in this proposal. In reviewing the draft plan, we list our comments and concerns below for the Washington Department of Ecology to consider, as well as relevant references to WAC and RCW requirements.

Please let us know if you have any questions about our comments.

Signed by:


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Preston Peck
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City of Tacoma, Environmental Services

Plan Elements	WAC/RCW citation	Comments
I. Introduction		No comment
II. Battery stewardship Organization		No comment
III. Registered Producers and Brands		No comment
IV. Funding and Budget B. Financing the Stewardship Plan The Battery Network's eco-modulated fee structure is designed to reflect the costs and environmental impacts associated with managing different battery chemistries. Each chemistry is documented by their cost to the program given expense to transport and process and then those costs are allocated based on fee by chemistry and this is eco-modulation.	173-905-120(8) Fee structure. A description of how the stewardship organization will structure producer fees to encourage design attributes that reduce the environmental impacts of covered batteries. Examples of fee structures that meet these requirements include using eco-modulated fees that: (a) Encourage recyclability or recycling; (b) Encourage the use of recycled content; (c) Encourage conservation of resources; (d) Discourage the use of problematic materials that increase costs of managing covered batteries; or (e) Other design attributes that reduce the environmental impacts of covered batteries	TBN eco-modulation only looks at transportation and recycling costs. There are no examples of fee structures, how they plan to "encourage the use of recycled content", or how they will "encourage design attributes that reduce the environmental impact."
IV. Funding and Budget C. Pro Forma Budget	173-905-120 (9) Budget. The program budget for the first three years of program implementation that includes separate line items for the following categories and describes what is included in each category: (a) Collection costs; (b) Transportation costs; (c) Sorting costs; (d) Recycling costs; (e) Disposal costs for material that cannot be recycled;	TBN's budget for the entire program is extremely low. Specifically, the "Demonstrable Costs Paid to Local Government" is incorrectly based on two point-in-time studies conducted by a contractor for TBN that does not account for any wage increases for staff that are processing, network expansion, infrastructure expansion due to increased collection, etc.

	(f) Education, outreach and communications costs; (g) Program evaluation costs; (h) Plan review and administrative fees paid to the department; (i) Demonstrable costs paid to local governments or local government facilities; and (j) Personnel, general, and other administrative costs.	There is no line item for disposal costs for material that cannot be recycled as required by WAC. Estimated costs need to be changed based on better collection targets and demonstrable costs.
IV. Funding and Budget D. Local Government Reimbursement he Battery Network will use its GreenVantage reimbursement program to reimburse relevant local government collection sites for demonstrable labor and related operational costs associated with the collection, preparation and shipment of covered batteries. The Battery Network will partner with local governments to establish a program that aligns with the requirements of this plan. This includes ensuring that any satellite collection site meets plan criteria, such as having a designated primary contact who has completed required safety training, ensure staff will be monitoring collection materials when accessible to residents, and utilizing the online portal for scheduling shipments and reordering supplies. Satellite sites that cannot meet these criteria may not serve as a collection location for the program.	173-905-030 Definitions "Demonstrable costs" means costs that a local government participating in a battery stewardship program incurs as a result of covered battery collection activities, at permanent collection sites or through collection events, including labor and nonlabor costs associated with: (a) Sorting collected batteries; (b) Packaging collected batteries for transport; (c) Transportation and consolidation of batteries from satellite sites; (d) Storage containers unless those containers are provided by the battery stewardship organization; (e) Transportation to the battery stewardship organization's vendor, if cost effective or more efficient; (f) Recycling batteries collected at collection events; and (g) Additional agreed-to costs. 173-905-120(10) Local government coordination. The plan must describe how the stewardship organization will communicate and coordinate	TBN has not accounted for costs required by definition. They are proposing an "offset" of labor costs, which is contrary to definition. The calculations for sorting are based on unrealistic and limited sorting scenarios, packaging does not take into account time to tape or bag for boxes, transportation does not include collection from satellite sites, and there is no reimbursement for collection containers that are to be used in public spaces. TBN does acknowledge ability to negotiate additional costs in plan, but that is not reflected in the template. The plan requires that satellite sites meet the same requirements as collection sites. And while there is no definition of satellite site, it is clear by calling it something different, that it is not intended to be a collection site. There is also no definition of "collection location which TBN uses." Later on in the plan it outlines in more detail for retail sites what constitutes "monitoring", and local government

To ensure the efficient administration of the program, The Battery Network may establish reasonable reimbursement minimums and operational eligibility criteria, with reimbursements based on demonstrable costs incurred through program activities. To activate the GreenVantage program, a local government will sign the template for local government agreement, (Appendix C) which outlines the requirements for both parties.	with local governments in implementation of the program including:(a) A copy of a template local government reimbursement agreement and a description of how local governments participated in the template's development.(b) Procedures that a local government collecting covered batteries at its own expense outside of the program must follow to meet the requirements in WAC 173-905-500(8).(c) Procedures that a local government must follow to coordinate with a battery stewardship organization regarding collection events.(d) Procedures that a local government seeking reimbursement from the stewardship organization must follow to coordinate with a battery stewardship organization on education and outreach efforts.	satellite sites should be afforded that flexibility. TBN introduces the idea of “reasonable reimbursement minimums” which is not the same as “demonstrable costs.” There is no process by which a local government could be reimbursed more than the minimum. Nothing in the RCW or WAC requires that a local government uses TBN’s GreenVantage service agreement. The video demonstrating time savings and manpower used when utilizing OneDrum assumes municipalities will use OneDrum, which is contradicted by the availability of mail back kits. All the issues with the GreenVantage agreement will be outlined in a separate document submitted as part of our comments titled, “The Battery Network Template - Tacoma comments.” There are no procedures outlined in the draft plan for local governments seeking reimbursement from TBN to coordinate with a battery stewardship on education and outreach. The City of Tacoma commented in rulemaking that nothing in the RCW requires coordination with TBN on education and outreach as it may be more impactful to use our current materials and networks to education our community in a way that makes sense for them. Additionally, the current draft
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		language in the plan reads as if it is a requirement for reimbursement, which is in contradiction to “demonstrable costs.”
IV. Funding and Budget G. Collection Events	173-905-030 Definitions "Demonstrable costs" means costs that a local government participating in a battery stewardship program incurs as a result of covered battery collection activities, at permanent collection sites or through collection events, including labor and nonlabor	There is no description of how events will be funded, just about notification and coordination. Events are included in demonstrable costs.
V. Collection Sites, Safety and Training B. Eligibility for Battery Collection Sites Any retailer, business, institution, or government entity that meets the following minimum requirements can participate as a private or public collection site for battery collections. --Contact Information Requirement: The facility must provide contact information for individual collection sites. --Containers: The facility must agree to use The Battery Network-provided containers for the collection and shipment of batteries. These containers will be supplied at no cost to participating collection sites. --Minimum Battery Collection: The facility must commit to returning at least one full container of batteries per year. In accordance with US Environmental Protection	173-905-500(4) Use existing collection services and facilities. Battery stewardship programs shall use existing public and private waste collection services and facilities, including battery collection sites that are established through other battery collection services, transporters, consolidators, processors, and retailers, where cost-effective, mutually agreeable, and otherwise practicable. 173-905-500(5) Use qualifying entities as collection sites. Battery stewardship programs shall, upon request of an entity that meets the criteria for collection sites in the approved plan, use that entity as a collection site	There is no reimbursement for public collection containers in GreenVantage, even though in this section it says collection sites must use them. There is no minimum collection amount in RCW or WAC. TBN can still meet the EPA's requirement for not storing on site for longer than one year regardless of if the container is full or not. It is also unclear what kind of container TBN is referencing in their plan. The WAC is clear that TBN must accept as a collection site those entities that request in writing and meet criteria. “Accessibility” outside of the defined convenience standards and “Cost-effectiveness” are subjective and can lead to inequitable access for Washingtonians.

Agency regulations, batteries may not be stored on-site for longer than one year. Failure to meet this requirement will result in automatic deactivation of the facility as a collection site. If a collection site is deactivated, they can still return their batteries to The Battery Network using the pre-paid shipping label or GreenTrax shipping feature. --Regulatory Compliance: The site must agree to safely handle and ship batteries in compliance with US Department of Transportation (USDOT) regulations. --Mandatory Training & Certification Requirement: To ensure safe and compliant battery collection and shipping, all participating sites must meet specific training and certification requirements, which are based on the types of batteries collected and the solution used. Additionally, the following factors will be considered when adding collection sites: Accessibility: Ensuring an optimal number of collection sites, meeting the law's requirements, while also considering geographic distribution and population density to maximize resident access. Cost-effectiveness: Managing the cost-to-serve to maintain an efficient and sustainable program.		
V. Collection Sites, Safety and Training		There is nothing in RCW or WAC that requires different oversight for different

E. HHW Collection Sites HHW facilities typically operate controlled conditions and may utilize larger containers. These sites meet monitoring expectations through: -- Direct staff oversight during operating hours --Controlled acceptance of materials by trained personnel Due to the nature of HHW operations, monitoring is achieved through active site management and trained personnel, rather than customer self-service models.		collection locations. The addition of these separate requirements may reduce access to satellite sites and therefore demonstrable costs for TBN. This also doesn't account for local government collection outside of HHW (i.e., satellite drop-off sites that are monitored daily).
V. Collection Sites, Safety and Training I. Emergency Response Protocol	520(4) Emergency supplies. Battery stewardship organizations shall provide each collection site with emergency supplies and equipment appropriate for mitigating risks associated with damaged or defective batteries such as leaks and fires. This includes proper personal protective equipment and containment for damaged and defective batteries.	TBN does not reference anywhere in their draft plan the procedure or costs of obtaining emergency supplies as required. Additionally, it is unclear if these costs are included in the pro forma budget or not.
VI. Accessibility and Convenience C. EJ and Equitable Access The Battery Network's goal is to provide all Washington residents with convenient access to battery recycling opportunities regardless of where they live. To support this goal, The Battery Network will evaluate collection site coverage, accessibility, outreach efforts, and stakeholder	500(2) Each battery stewardship organization shall provide statewide portable battery collection opportunities that include, but are not limited to, the provision of: (b) The establishment of collection sites that are accessible and convenient to overburdened communities identified by the department in an amount that is roughly proportional to the number and population of	The requirement is to provide collection opportunities to these specific communities not evaluate it. TBN provides maps showing that they are clearly not meeting requirements for areas of high concentrations of people with disabilities, people whose primary language is not English, and people whose primary mode of transportation is public transportation, especially on the Olympic Peninsula.

feedback throughout implementation of the program and will continue to identify opportunities to improve equitable access to battery recycling services across the state. This includes evaluating opportunities to establish collection services in areas with disabled persons, geographically isolated communities and at locations where batteries are commonly used and become spent, such as parks with stores, campgrounds, donation centers and schools. The Battery Network will also consider collection events and other supplemental collection opportunities where permanent collection sites may not provide sufficient access. The Battery Network recognizes the unique challenges associated with serving Washington's island communities. To support battery collection in geographically isolated areas, The Battery Network will provide OneDrum collection solutions to transfer stations located on islands with substantial year-round, resident populations.	overburdened communities relative to the population or size of the state as a whole; (d) Collection events in areas without a permanent collection site, including service to island and geographically isolated communities; and (e) Collection opportunities at special locations where batteries are often spent and replaced such as campgrounds, parks with stores, fire stations, homeless shelters, donation centers, schools, and solid waste facilities. 500(3) Medium Format (3) Convenience standards - Medium format battery collections. Each battery stewardship organization shall provide statewide medium format battery collection opportunities that include, but are not limited to, the provision of: (a) At least 25 permanent collection sites in Washington; (b) Reasonable geographic dispersion of collection sites throughout the state; (c) A collection site in each county of at least 200,000 persons, as determined by the most recent population estimate of the office of financial management; (d) The establishment of collection sites that are accessible to public transit and that are convenient to overburdened communities identified by the department; and	The limitation of collection sites to islands with both a transfer station and substantial year-round resident populations is too restrictive and not in alignment with the requirements in either the WAC or RCW. TBN does not outline any plan to meet the convenience standards for medium format batteries as required.
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	(e) Collection events in areas without a permanent collection site, including service to island and geographically isolated communities. A battery stewardship organization shall ensure that there is a collection site or annual collection event in each county of the state.	
VII. Transportation and Recycling		TBN does not list any transporters, sorters, or processors from WA state. While not a requirement, it would be a good goal to move business into the state and shorten transportation routes. This would also help TBN with reducing eco-modulation fees for producers.
VIII. Education and Outreach Work with community-based organizations, local governments, Tribal representatives and other stakeholders to help ensure outreach efforts effectively reach overburdened communities and vulnerable populations; and ensure messaging is culturally, linguistically, and conceptually appropriate	120 (5) e) A description of how the battery stewardship organization will consult with overburdened communities and vulnerable populations identified by ecology when developing outreach materials; 110 (2) In developing education and outreach materials for overburdened communities and vulnerable populations identified by the department, a battery stewardship organization shall consult with those communities to ensure the materials are conceptually, linguistically, and culturally accurate.	TBN states in the draft plan that the organization plans to “work with community-based organizations, local governments, Tribal representatives and other stakeholders” but gives little detail on how they plan to do so. The requirements state that the battery stewardship organization will outline in the plan how they will consult with these communities, not if they will.
IX. Performance Goals B. Collection Rate For 2027, The Battery Network is proposing a	WAC 173-905-120 Plan contents (4) Performance goals. Numeric performance goals that measure, on an annual basis, the	We believe that the collection rates proposed in the draft program plan are based on what TBN has collected in Washington, however, TBN

collection rate of 3.52%, which equates to 400,000 pounds of batteries collected for calendar year 2027. This represents an increase over the 336,157 pounds of batteries collected in Washington during calendar year 2025. Table 6 summarizes the proposed collection rates and collection targets for calendar years 2027 through 2029	achievements of the program, including a description of how progress towards each goal will be measured. Performance goals must, at minimum, include: (a) A target collection rate for covered batteries; (b) A target recycling efficiency rate of at least 60 percent for rechargeable batteries and at least 70 percent for primary batteries; (c) The percentage of people in Washington that are aware of the program, including a subgoal applicable to public awareness of the program in vulnerable populations and overburdened communities identified by ecology; (d) The percentage of people that know how to find where to recycle covered batteries; and (e) Goals to meet the convenience and accessibility requirements on WAC 173-905-500.	is not the only battery recycler in the state. In looking at Tacoma's collection growth for household batteries from 2020-2025, collection rates grew on average of 19% year over year. This includes collection from our satellite drop-off locations, which are co-located with our glass drop-off collection containers. It also shows sizeable growth without any direct injection of capital into infrastructure expansion, promotion of sites, etc. Looking at other states and provinces with similar programs where TBN operates, they have much higher collection rates. In 2024, Vermont's program collected 29% of batteries sold into the state, and British Columbia's program collected 42% of batteries sold into province. In 2026, Illinois has collection rates starting at 10% and Vermont at 38%. We are concerned that if the target is set too low, then TBN will be disincentivized to have more collection sites. Growth of 3% seems like it will happen just by starting the program, so we would suggest a target of at least 10% year over year based on our own, and other state's data.
IX. Performance Goals. D. Public Awareness --In 2025, The Battery Network utilized a third-party research firm, IPSOS Group, to conduct a	WAC 173-905-120 (c) The percentage of people in Washington that are aware of the program, including a subgoal applicable to public	It is not clear from the plan how they will include the subgroup data from vulnerable and overburdened populations as required.

consumer online survey based on the historical criteria we use for other states which includes only total awareness and incidence, not a subgroup for vulnerable and overburdened populations. -- The Battery Network commits to gradually increasing battery awareness and behavior recycling by one (1) percent each year from 2027 until 2029.	awareness of the program in vulnerable populations and overburdened communities identified by ecology;	TBN sets a goal of increasing awareness and behavior by 1% year over year, which is extremely low. For comparison, Washington's E-Cycle Program has seen a year-over-year average growth in awareness through internet display ads of over 30% from 2022 to 2025.
IX. Performance Goals. E. Accessibility Goal The Battery Network will continue to build upon its existing collection network to ensure Washington residents have convenient access to battery recycling opportunities. Collection network development will first focus on meeting the minimum county-based collection site requirements and achieving the accessibility standard of providing a permanent collection site within 15 miles of at least 95% of Washington residents. As the network expands, The Battery Network will also consider the needs of overburdened communities, geographically isolated communities, tribal communities, rural residents, and locations where batteries are commonly used and become spent, such as parks, campgrounds, and other recreational areas. Additional information regarding accessibility, convenience, and environmental justice can be found in	500(2) Each battery stewardship organization shall provide statewide portable battery collection opportunities that include, but are not limited to, the provision of: (b) The establishment of collection sites that are accessible and convenient to overburdened communities identified by the department in an amount that is roughly proportional to the number and population of overburdened communities relative to the population or size of the state as a whole; (d) Collection events in areas without a permanent collection site, including service to island and geographically isolated communities; and (e) Collection opportunities at special locations where batteries are often spent and replaced such as campgrounds, parks with stores, fire stations, homeless shelters, donation centers, schools, and solid waste facilities.	As noted in section VI., the requirement is to provide access to all communities named in law. This plan needs to describe how that is going to happen, and instead leaves it as a "consideration" as the network expands. There is also no goal set for these target groups, as required.

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Section VI.	(e) Goals to meet the convenience and accessibility requirements on WAC 173-905-500.	
Appendix C: Local Government Reimbursement Template		See other document submitted for comments titled, "The Battery Network Template - Tacoma comments"