

KitsapCounty

PUBLIC WORKS

Kitsap County Solid Waste Division Comments, Washington Battery Stewardship Organization Plan

Kitsap County has the following comments on the plan submitted to the Department of Ecology. The plan language excerpts are followed by comments submitted in italics:

Demonstrable Costs

“Sorting collected batteries: No sorting is required by local government agency collection sites. The Battery Network provides no-cost collection kits designed to allow batteries to be collected as received and shipped as mixed chemistries. All sorting activities are conducted downstream by The Battery Network’s approved service providers.”

Comment: Members of the public routinely offer our HHW program batteries combined with other items, like compact fluorescent lamps, thermometers, hypodermic needles, razor blades and other contaminants. Contaminants can be rejected if seen during drop-off. However, these items are often not noticed by collections staff during drop-off because batteries tend to come in bags or small boxes. Due to the volume of all household hazardous waste collected at facilities, staff don't have time to spend several minutes with each customer to go through a bag of batteries. Sorting usually happens after drop-off. It would be unsafe to downstream facilities to simply collect volumes of batteries with these contaminants and put them in a drum. Further, the Plan charges fees for contamination, as noted in Appendix C. Therefore, not only does the plan presume no labor for sorting of batteries for safe shipment, but it will also charge the HHW facility for contamination if a program opts not to sort and to pass along contamination and safety risks to downstream facilities. This seems neither realistic nor wise.

Transportation and consolidation of batteries from satellite sites

“To support safe battery management practices, unnecessary movement of collected batteries between locations is discouraged, as additional handling and transportation may increase the potential for battery damage and safety incidents. However, The Battery Network recognizes that geographical isolation may create barriers to direct transportation services in certain communities. These locations may be eligible for an annual reimbursement on a case-by-case basis.



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.”

Comment: For over 25 years, Kitsap County has collected batteries at its remote garbage and recycling facilities, at an area within view of facility staff. The containers of batteries are collected by Household Hazardous Waste staff and delivered safely to the HHW facility for sorting and packaging for shipment. It is done in a seamless and consolidated fashion. These remote sites do not have the infrastructure to support the storage of program-mandated collection boxes, nor do the staff onsite have the time to prepare these packages for shipment, including ordering shipments and supplies via the portal. It makes much more programmatic sense to have batteries delivered to one or two consolidated sites with the operations spaces and resources for these activities. It is safer and more cost effective.

Kitsap County requests that the program re-think its approach to satellite collections and support and reimburse local governments that do them. A primary, trained point of contact and monitoring are achievable. Scheduling and final packaging and shipping from these locations is unrealistic.

Satellite locations could then be counted as collection sites, which will give the program a pathway to meet its convenience standard as mandated by law. Removal of battery collections from these sites would dramatically reduce the number of batteries collected. It would be a significant step backward and might result in an increase in improper battery disposal, with the safety concerns that accompany it.

D. Local Government Reimbursement

“The Battery Network is reimbursing battery collection efforts for municipalities at \$0.20 per pound

The Battery Network developed the Washington local government template agreement through a six-month stakeholder engagement process that included statewide meetings, regional discussions, open office hours, and one-on-one county engagement opportunities.”

Comment: This reimbursement may or may not cover the costs of battery collections for municipalities. If Battery Network isn't factoring battery sorting to safely remove contaminants, it possibly won't. Labor and other fixed costs rise year to year. Even if .20 a pound covers costs in 2027, it might fall short by 2031.

Battery Network did engage local governments in developing the template. However, they incorporated few of the suggestions local governments had and ignored the concerns about demonstrable cost coverage. The .20 per pound rate seemed non-negotiable, regardless of the feedback local governments gave to the BSO.

Kitsap County recognizes the dramatic reduction of labor realized by not taping/bagging batteries, but preparing One Drum containers for safe shipment will still incur labor costs. It will take engagement with the new program to determine whether this rate is sufficient. The rate clearly does not include the time involved in picking up batteries from satellite locations, because the plan discourages, or prohibits, this from happening. This lack of flexibility is concerning.

B. Eligibility for Battery 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."

Comment: Kitsap County anticipates filling 4-6 55-gallon drums of batteries every week, especially with fire suppression media displacement of battery storage in the drums. Although infrequent, supply disruptions have happened in other stewardship programs, like paint. What should a program do if Battery Network has a supply-chain issue in providing these drums? Will they allow a program to use other DOT-compliant drums and reimburse the program? The only other solution is to reject batteries from customers, and many people will opt to throw them in the trash.

C. Battery Management

"The Battery Network advises collection sites and partners that applicable federal and state regulations govern the safe collection, storage, and transportation of batteries, including the Universal Waste Rule under 40 CFR Part 273 and applicable Washington State dangerous waste regulations. Collection sites and partners are responsible for

complying with all applicable regulations, and compliance with such regulations is a condition of participation in The Battery Network program.

Collection sites participating in The Battery Network program shall determine whether they meet the definition of a Small Quantity Handler or Large Quantity Handler of Universal Waste based on the volume managed at the site. Collection sites shall comply with the applicable management standards associated with that designation. If a collection site identifies materials that are not covered batteries or do not meet program acceptance criteria, the site must determine whether the material constitutes dangerous waste and manage it in accordance with applicable regulations.”

Comment: This needs clarification from Ecology. There’s a presumption that Moderate Risk Waste is exempt from 40 CFR and WAC 173-303, and therefore the distinction between Small or Large Quantity Handler of Universal Waste is moot.

G. Damaged Defective Battery Management

“Collection sites are trained to identify batteries that are damaged or defective with broken or breached cell casings, which present increased safety risks.

Separate damaged or defective batteries from all other batteries and place them in a labeled, designated container containing fire suppressant.”

Comment: These sentences are in direct contradiction to the Plan’s earlier sentence: “No sorting is required by local government agency collection sites.” Are collection sites sorting damaged and defective batteries away from intact batteries, or aren’t they? The clear answer is that they are. Therefore the “no sorting” statement should be rescinded and replaced with realistic language, with commensurate demonstrable cost reimbursement consideration for the labor involved.

H. Safety and Compliance

“Please note that personal protection equipment is not required when using The Battery Network Solutions.”

Comment: This statement seems irresponsible. PPE might be required, depending on the circumstances. A collection site will need to use the fire suppressant in drums to determine if it

creates fugitive dust. The material is silica-based, and breathing fugitive dust is a serious concern for HHW programs.

L. Safe Solutions

“OneDrum Availability: The Battery Network is committed to working with collection sites to ensure they always have OneDrum units on hand. OneDrum orders are shipped in quantities of up to four per pallet.”

Comment: Kitsap County will need to see the displacement caused by the fire suppressant in OneDrum containers. It estimates that it will need a minimum of four to six drums per week. Kitsap County wants assurance that more than one pallet can be ordered per request, and that these program-mandated drums and packaging will consistently be in stock. There is no other contingency identified for instances where the portal is down, or supplies are backordered, for example. What happens then?

VI. Accessibility and Convenience

E. Existing Collection Services and Facilities

“The Battery Network will utilize existing public and private collection infrastructure whenever cost-effective, and practical. Leveraging existing collection sites, transporters, consolidators, processors, retailers, and other battery collection programs helps maximize convenience for residents, reduces duplication of effort, and supports the efficient use of program resources. The Battery Network currently partners with the following organizations NWRA, Arcwood, Recology and will continue to evaluate opportunities to expand and strengthen these partnerships throughout implementation of the program.”

Comment: None of the batteries collected by this program will remain in Washington state. All of them will be exported, via semi-truck, to sorting and processing locations out of state. The nearest one to Bremerton is Sparks Nevada, about 700 miles away. Meanwhile, several Puget Sound area companies have the resources to sort these batteries.

Not only does the program increase greenhouse gas emissions by long-hauling these batteries, it overlooks local recycling options. If a local government wanted to opt out of the program, it couldn't use a local option and would have to spend the money to ship 55-gallon drums out of state. The details in this stewardship plan make it functionally impossible to opt out and still

collect batteries. This is a troubling development for moderate risk waste management in Washington state.

IX. Performance Goals

“The proposed 400,000-pound collection target reflects a reasonable increase over current collection levels while recognizing the reality of a first-year program launch. Years 2 and 3 collections targets reflect continued network expansion, increased public awareness, and anticipated growth in participation. In addition, the program budget includes contingency funding to support additional collection, transportation, and recycling activities should collection volumes exceed projections.”

Comment: Kitsap County collected over 55,000 pounds of program-eligible batteries in 2026. The Year 3 goal is still less than 500,000 pounds. This collection target is absurdly low. Infrastructure planning for such volumes may mean supply disruptions, pick-up delays, and other programmatic problems. Unfortunately, the Plan does not give local governments a contingency in case something goes wrong with operations. The only recourse is to reject batteries, and the effects of that are at best inconvenient to the public and at worst dangerous to the community.

Appendix C: Local Government Reimbursement Template

“(section 10): ...the Battery Network reserves the right to adjust the reimbursement rate set forth in 2(c) by providing at least thirty (30) days’ prior written notice to LGBCS.”

Comment: While this language allows the possibility of increased compensation (one that might match a local government’s real demonstrable costs), it also allows for the Battery Network to cut funding, seemingly without recourse.

A local government must accept what the program offers, even if it’s unfair, if it wants to continue to collect batteries. Collecting batteries outside the stewardship program has been made nearly impossible by both the legislative language and the Battery Stewardship Organization’s infrastructure and proprietary packaging and management requirements.

Appendix H: Collection Sites on Locator

"Kitsap County HHW Facility 5551 Imperial Way Bremerton WA 99212"

Comment: The correct zip code for this location is 98312

