SENATE COMMITTEE ON ENVIRONMENTAL QUALITY
Senator Blakespear, Chair
2025 - 2026 Regular

Bill No:	SB 501		
Author:	Allen		
Version:	1/5/2026	**Hearing Date:**	1/13/2026
Urgency:	No	**Fiscal:**	Yes
Consultant:	Brynn Cook		

SUBJECT: Responsible Battery Recycling Act of 2022: covered batteries

DIGEST: This bill adds medium-format batteries, as defined, to the existing extended producer responsibility (EPR) program for batteries, the Responsible Battery Recycling Act of 2022.

ANALYSIS:

Existing law:

1) Establishes the Hazardous Waste Control Law (HWCL) and requires DTSC to oversee the management of hazardous waste. (Health & Safety Code (HSC) §§25100 et seq.)

2) Establishes the Integrated Waste Management Act and requires the Department of Resources Recycling and Recovery (CalRecycle) to oversee the management of solid waste. (Public Resources Code (PRC) §§40050 et seq.)

3) Establishes the Rechargeable Battery Recycling Act, which requires every retailer to have a system in place, on or before July 1, 2006, for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. (PRC §§42451-42456)

4) Establishes the Electronic Waste Recycling Act (EWRA) to create a program for consumers to return, recycle, and ensure the safe and environmentally-sound disposal of "covered devices" that are hazardous wastes when discarded. The EWRA specifically includes embedded battery products (PRC §§42460 et seq.)

5) Establishes the Responsible Battery Recycling Act of 2022, which requires producers of small household batteries to establish a stewardship program for the collection and recycling of covered batteries. (PRC 4240 et seq).

This bill:

1) Adds to the definition of 'loose' battery that is covered in the Responsible Battery Recycling Act of 2022 to specify that it includes batteries that can be easily removed using common household tools.

2) Expands the scope of the Responsible Battery Recycling Act to include batteries up to 25lbs, striking existing language that excludes batteries weighing over two kilograms and rechargeable batteries over five kilograms and having more than 300 Watt-hours.

Background

1) *California's waste goals and EPR.* Under the IWMA, CalRecycle is tasked with reducing the amount of waste that gets landfilled in California. The IWMA establishes a goal that 75% of solid waste generated in the state be diverted from landfills through source reduction, recycling, and composting by 2020. However, in 2021, the state's recycling rate was just 41%, falling far short of the state's goal.[1] To advance California's recycling goals, the Legislature has directed CalRecycle to establish several EPR programs. EPR is a strategy that places shared responsibility for end-of-life product management on producers and all entities involved in the product chain, instead of on the general public and local governments. EPR programs rely on industry, often via a producer responsibility organization (PRO), to develop and implement approaches to create a circular economy with oversight and enforcement provided by the government. EPR programs have traditionally been used to improve the recapture and recycling rate for challenging-to-recycle materials that can pose a risk to the waste stream, like pharmaceuticals and sharps, paints, and batteries.

2) *Managing battery waste.* The state's Hazardous Waste Control Law prohibits the disposal of batteries in the trash or household recycling collection bins. Many types of batteries, regardless of size, exhibit hazardous characteristics and are considered hazardous waste when they are discarded. These include single use alkaline and lithium batteries and rechargeable lithium metal, nickel cadmium, and nickel metal hydride batteries of various sizes (AAA, AA, C, D, button cell, 9-Volt) and small sealed lead-acid batteries.

   There are two key state laws that dictate how batteries should be managed at the end of their lives: AB 2440 (Irwin, Chapter 351, Statutes of 2022), which covers small loose batteries (e.g. not bicycle or larger batteries for some household appliances), and SB 1215(Newman, Chapter 370, Statutes of 2022), which covers batteries embedded in products.

[1] State of Disposal and Recycling for CY 22_ for pub (2).pdf

a) *AB 2440.* AB 2440 created the Responsible Battery Recycling Act, an EPR program for producers of small format batteries. In broad strokes, the EPR program operates by requiring a PRO to develop a stewardship plan for the collection, transportation, recycling, and safe and proper management of covered products in the state. The stewardship plan must be approved by CalRecycle and DTSC; CalRecycle is currently developing the regulations for this program in consultation with DTSC. The program is funded through reimbursement provided by producers and stewardship organization or organizations. That fund is used to cover the costs that CalRecycle and DTSC take on to implement and enforce the program.

b) *SB 1215.* Many batteries are sold within products, such as lithium-ion batteries, which are widely used in portable electronics like laptops, smart phones, digital cameras, game consoles, and cordless power tools. These products are considered "covered battery-embedded products" under SB 1215, if the battery is not designed to be removed from the product by the consumer.

   SB 1215 added covered battery-embedded products to the electronic waste recycle act (EWRA) and requires CalRecycle to establish a fee, paid by consumers on new or refurbished covered battery-embedded products, that covers the reasonable regulatory costs to properly manage and recycle the covered battery-embedded products and to administer the EWRA.

3) *Fire risk from batteries:* California's Statewide Commission on Recycling Markets and Curbside Recycling (Commission) weighed in on fire risks posed by HHW: "There is an urgent need to reduce the fire risks posed by HHW considering the extended duration and increasing severity of California's fire season. In October 2019, a trash truck caught fire in the foothills of the San Bernardino Mountains. When the driver unloaded the truck to try to extinguish the flames, winds spread the fire quickly to the surrounding hillsides, soon encompassing 500 acres. Within minutes the fire had spread to a mobile home community, leading to the deaths of two people and the destruction of dozens of homes, burning over 1,000 acres. Though the source of the fires is under investigation, this Commission believes that action is required to reduce known sources of fires including lithium-ion batteries.

   "Additionally, the South Bayside Waste Management Authority had a 4-alarm fire at their Recycling Processing Center (80,000 tons per year) in San Carlos, California which they believe was directly caused by an (almost) expired lithium-ion battery. This incident resulted in over $8.5M in damages. This

facility was closed for four months, 50+ employees were furloughed, and the building was not fully operational for a year. They were extremely fortunate to report that no facility workers or any of the 100 firefighters were injured in this incident. They may not be so fortunate in future incidents."

Comments

1) *Purpose of Bill.* According to the author, "SB 501 expands California's extended producer responsibility program for batteries to include medium-format batteries, such as those found in ebikes, outdoor lawn equipment, and portable power systems. Batteries continue to be one of the most problematic sources of household hazardous waste due to their ability to cause fires or explosions when improperly managed, and the high costs of proper disposal to local governments. However, the number of batteries entering end-of-life each year is rapidly increasing. EPR programs can help address problems with safe collection and shift the cost burden of managing these products from local cities and counties, and ultimately ratepayers, to the producers designing the products. SB 501 builds on California's extensive experience with EPR programs while taking advantage of the efficiencies of expanding existing programs."

2) *Closing a medium-sized loophole.* The existing laws to manage batteries are for small batteries (AB 2440) and for batteries embedded in products (SB 1215). This leaves a significant loophole in California's current programs: medium-format batteries, such as those found on ebikes, appliances or outdoor power equipment, which are still likely to be removed and/or replaced by the consumer are not covered under either program. Creating a pathway for responsible end of life management for these mid-sized batteries is especially important as sales of ebikes and other battery-powered appliances are on the rise. SB 501 is a sensible approach to ensure that medium sized batteries have a safe end of life option that is managed by the producers of those batteries, instead of leaving those batteries to be managed by local governments or mistakenly ending up in landfills.

3) *Should medium batteries be treated the same as small batteries?* Adding medium sized batteries to the existing EPR program for small batteries will ensure better management for medium batteries: however, there are innate differences in these types of batteries and their markets. This includes differences in how and where medium vs. small batteries are sold and used, and how many medium vs. small batteries are in use. This may necessitate policies specific for medium-sized batteries. For example, existing EPR program for small batteries specifies that a stewardship plan must have a set number of collection sites based on population. Since there are relatively fewer medium

sized batteries compared to small batteries, it could be an onerous requirement for producers to establish collection for medium-sized batteries at the same rate as for small batteries. Currently, the law establishes a sliding scale requiring 3 collection sites for counties with less than 18,000 residents up to 10 collection sites per county or one collection site per 15,000 people for counties of 100,000 residents or more.

The author and committee may wish to specify that medium format batteries need only have 5 collection sites per county or one collection site per 30,000 people.

4) *Committee amendments. **Staff recommends the committee adopt the bolded amendments contained in comment 3, as well as technical amendments to clarify the definition of 'medium sized battery'.***

Related/Prior Legislation

AB 2240 (Irwin, Chapter 351, Statutes of 2022) enacted the Responsible Battery Recycling Act of 2022, which requires producers of covered [household] batteries to establish a stewardship program for the collection and recycling of covered batteries.

SB 1215 (Newman, Chapter 370, Statutes of 2022) adds covered battery-embedded products to the EWRA and requires CalRecycle to establish a fee, paid by consumers on new or refurbished covered battery-embedded products, that covers the reasonable regulatory costs to properly manage and recycle the covered battery-embedded products and to administer the EWRA

SB 615 (Allen, 2025) requires producers of electric vehicle (EV) batteries to ensure the safe end of life management of those batteries. SB 615 is scheduled to be heard today in the Senate Environmental Quality Committee.

SB 1143 Allen (Chapter 989, Statutes of 2024) makes changes to the state's paint product stewardship program to expand the number of products covered in the program by January 1, 2028, at the latest and to require manufacturers of paint products to review their stewardship plan and submit any amendments to CalRecycle for review on a five-year basis.

SOURCE: Author

SUPPORT:
California Product Stewardship Council
Californians Against Waste
Friends Committee on Legislation of California
National Stewardship Action Council
Resource Recovery Coalition of California
Rethink Waste
Rural County Representatives of California (RCRC)

OPPOSITION:
Redwood Materials, INC.

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