PRBA – The Rechargeable Battery Association
2050 M Street NW · Washington, DC 20036

PRBA – The Rechargeable Battery Association

SF 1690 - Oppose

Stewardship program establishment for circuit boards, batteries, and electrical products

March 26, 2026

PRBA – The Rechargeable Battery Association strongly supports safe handling and responsible stewardship of batteries at the end of their intended use. We have worked extensively on and supported legislation to establish portable battery extended producer responsibility (EPR) programs with our model legislation in other states and have worked closely with the Minnesota Pollution Control Agency (MPCA) on revisions to SF 1690 to focus solely on batteries. While SF 1690 is getting closer, and dialogue with MPCA continues in a very collaborative and constructive manner, PRBA is opposed to the amended language for SF 1690 for two significant reasons:

1. SF 1690 includes recalled batteries in the definition of covered batteries

It is not a question of whether recalled batteries can or should be collected and recycled. They can be collected and should be collected. It is more of a question of the responsibility for managing these batteries. In a battery stewardship organization (BSO) model, producers of batteries are responsible for implementing a program where the producers pay into the program based on their common share of the market by chemistry of battery. Recalls are expansive and involve activities that are not a common item for the overall battery industry, and their management should solely be placed on the recalling producer and not spread amongst the entire industry. Including recalled batteries from one producer effectively punishes other producers who have not issued a recall. These batteries should not be placed in common collection containers, involve specialized training for personnel managing them, and require specific packaging, storage, and transportation considerations.

These recalls also often involve entities without a U.S. presence and forcing a BSO to operate a recall and try to recoup the cost of recalls from producers is often impossible. A better solution is the exempt recalled batteries from SF 1690 and create a separate piece of legislation that forces recalling producers (not just for batteries) to either manage their recalls or have their products removed from consideration of sale. This is an approach being taken in California with AB 2462, has been discussed with MPCA, and is a fairer proposition for any takeback program (not just for batteries).

2. SF 1690 includes certain large format batteries as covered batteries

The PRBA model bill and other laws passed or being considered around the U.S. focus on portable (small and medium format) batteries that are easily carried by battery users. Battery users routinely interact

with these batteries and can take them to convenient drop-of points established by a BSO. Large format batteries are different in that users cannot easily carry them, and they do not fit with existing loose battery collection infrastructure. These batteries require different models for collection and should be part of a separate piece of legislation dedicated to their unique use and management. The inclusion of large format batteries also falls out of harmonization with other programs being established through legislation in other states around the U.S.

There also remain other details in the bill PRBA opposes including:

1. Infrastructure investment (page 13.22 of revised draft)

In the reimbursement section, costs include "necessary collection and storage structures and containers". While a battery stewardship organization will provide educational and functional materials and containers for collection, use of the work structures implies permanent infrastructure that should not be part of a BSO plan. Simply removing "structures and" would resolve our concern.

2. The inclusion of at home pickup (Subdivision 2 (b) at page 20.9 of revised draft)

Having a stewardship organization offer individual pickup from households runs counter to environmental gains from a stewardship program and is extremely burdensome and challenging to operate. A stewardship program will provide convenient collection points and run temporary events as included in the clause, but the household pickup must be removed.

* * * *

PRBA Background

PRBA was formed in 1991 to respond to the need for workable portable rechargeable battery collection and recycling programs in the United States. To that end, PRBA members established pilot battery recycling programs in several states. Based on the success of these pilots, PRBA supported establishment and implementation of a national not-for-profit public education and portable battery recycling program.

PRBA members include the major manufacturers of rechargeable and non-rechargeable batteries as well as the leading manufacturers of battery-powered portable electronic equipment, power tools, outdoor power equipment, medical and military equipment, and hybrid and electric vehicles, battery recyclers, retailers, and large distributors of all batteries and equipment powered by them. Many of our members participate in battery collection and recycling programs in the Unted States and globally.

* * * *

PRBA asks the committee to add recalled batteries to the list of what is not a covered battery, remove large format non-lead acid batteries entirely from the bill and address removing household pickup and structure requirements from the language. Large format batteries should be addressed separately, and

we welcome the opportunity to work with MPCA and other stakeholders on large format batteries in another vehicle and continue the dialogue on the existing language.

Sincerely,

Marc Boolish

Marc Boolish
Executive Director
PRBA – The Rechargeable Battery Association