

RCW 70A.555.150 Department assessment of large format batteries, medical devices, lead acid batteries, and battery-containing products and their batteries—Report to the legislature. (1) By July 1, 2027, the department must complete an assessment of the opportunities and challenges associated with the end-of-life management of batteries that are not covered batteries, including:

(a) Large format batteries;

(b) Lead acid batteries that are greater than 11 pounds or are subject to the provisions of RCW 70A.205.505 through 70A.205.530;

(c) Batteries contained in medical devices, as specified in Title 21 U.S.C. Sec. 360c as it existed as of July 23, 2023, that are not designed and marketed for sale or resale principally to consumers for personal use; and

(d) Batteries not intended or designed to be easily removed by a customer that are contained in battery-containing products, including medical devices, and in electronic products that are not covered electronic products managed under an approved plan implemented under chapter 70A.500 RCW.

(2) The department must consult with the department of commerce and interested stakeholders in completing the assessment, including consultation with overburdened communities and vulnerable populations identified by the department under chapter 70A.02 RCW. The assessment must identify any needed adjustments to the stewardship program requirements established in this chapter that are necessary to maximize public health, safety, and environmental benefits, such as battery reuse.

(3) The assessment must consider:

(a) The different categories and uses of batteries and battery-containing products listed in subsection (1) of this section;

(b) The current economic value and reuse or recycling potential of large format batteries or large format battery components and a summary of studies examining the environmental and equity implications of displacing demand for new rare earth materials, critical materials, and other conflict materials through the reuse and recycling of batteries;

(c) The current methods by which unwanted batteries and battery-containing products listed in subsection (1) of this section are managed in Washington and nearby states and provinces;

(d) Challenges posed by the potential collection, management, and transport of batteries and battery-containing products listed in subsection (1) of this section, including challenges associated with removing batteries that were not intended or designed to be easily removable from products, other than by the manufacturer; and

(e) Which criteria of this chapter should apply to batteries and battery-containing products listed in subsection (1) of this section in a manner that is identical or analogous to the requirements applicable to covered batteries.

(4) By October 1, 2027, the department must submit a report to the appropriate committees of the legislature containing the findings of the assessment required in this section. [2023 c 434 § 16.]