



# Environmental & Natural Resource Protection

## Committee

State Representative Greg Vitali  
*Democratic Chairman*

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### MEMORANDUM

DATE: 4/16/2025

TO: House Environmental and Natural Resource Protection Committee Members

FROM: Representative Greg Vitali, Majority Chairman  
House Environmental and Natural Resource Protection Committee

RE: Environmental and Natural Resource Protection Committee Voting Meeting –  
Monday, May 5<sup>th</sup>, 2025

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The House Environmental and Natural Resource Protection Committee will hold a voting meeting on **Monday, May 5<sup>th</sup>, 2025, at 11:00am in 205 Ryan Office Building.**

The purpose of this voting meeting will be to consider the following legislation and any other business that may come before the committee.

- [HB 1233; PN 1370 \(Siegel\)](#) – Creates a stewardship program for safe disposal of portable and medium format batteries up to 25 pounds.
- [HR 192; PN1377 \(Hill Evans\)](#) – Designates the week of June 8 through 14, 2025, as Chesapeake Bay Awareness Week" in Pennsylvania.

Please contact Hayley Shupe at 717-787-7647 or [hshupe@pahouse.net](mailto:hshupe@pahouse.net) with any questions. If you are unable to attend this meeting, please submit an Official Vote by Designation Form prior to the start of the meeting.

Thank you,

GV/hs



**House Environmental and Natural Resource Protection Committee**

***Meeting Agenda***

Monday, May 5<sup>th</sup>, 2025  
11:00am – 12:00pm  
205 Ryan Office Building

Call to Order

Roll Call

[HB 1233; PN 1370 \(Siegel\)](#) – Creates a stewardship program for safe disposal of portable and medium format batteries up to 25 pounds.

[HR 192; PN1377 \(Hill Evans\)](#) – Designates the week of June 8 through 14, 2025, as "Chesapeake Bay Awareness Week" in Pennsylvania.

Any other business

Adjournment

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1233 Session of  
2025

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INTRODUCED BY SIEGEL, OTTEN, STEELE, MADDEN, HILL-EVANS, VITALI,  
FREEMAN, SANCHEZ, SAMUELSON, HADDOCK, RIVERA AND CIRESI,  
APRIL 15, 2025

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REFERRED TO COMMITTEE ON ENVIRONMENTAL AND NATURAL RESOURCE  
PROTECTION, APRIL 15, 2025

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AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania  
2 Consolidated Statutes, providing for portable battery  
3 stewardship and establishing requirements for Battery  
4 Stewardship Plans; imposing duties on the Department of  
5 Environmental Protection; and imposing penalties.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Title 27 of the Pennsylvania Consolidated  
9 Statutes is amended by adding a chapter to read:

10 CHAPTER 67

11 PORTABLE BATTERY STEWARDSHIP

12 Sec.

13 6701. Scope of chapter.

14 6702. Legislative findings.

15 6703. Definitions.

16 6704. Stewardship plans.

17 6705. Retailers.

18 6706. Stewardship plan requirements.

- 1 6707. Performance standards.
- 2 6708. Funding.
- 3 6709. Collection and management requirements.
- 4 6710. Education and outreach requirements.
- 5 6711. Reporting requirements.
- 6 6712. Fee and department role.
- 7 6713. Penalties and civil actions.
- 8 6714. Marking requirements for batteries.
- 9 6715. General battery disposal and collection requirements.
- 10 6716. Assessing battery-containing products.
- 11 6717. Antitrust.
- 12 6718. Other collection of batteries.

13 § 6701. Scope of chapter.

14 This chapter relates to portable battery stewardship.

15 § 6702. Legislative findings.

16 The General Assembly finds and declares as follows:

17 (1) It is in the public interest of the residents of  
18 this Commonwealth to encourage the recovery and reuse of  
19 materials, including metals, that replace the output of  
20 mining and other extractive industries.

21 (2) Without a dedicated battery stewardship program,  
22 battery user confusion regarding proper disposal options will  
23 continue to persist.

24 (3) Ensuring the proper handling, recycling and end-of-  
25 life management of used batteries prevents the release of  
26 toxic materials into the environment and removes materials  
27 from the waste stream that, if mishandled, may present safety  
28 concerns to workers, including by igniting fires at solid-  
29 waste-handling facilities. For this reason, batteries should  
30 not be placed into commingled recycling containers or

1 disposed of via traditional garbage collection containers.

2 (4) Jurisdictions around the world have successfully  
3 implemented battery stewardship laws that have helped address  
4 the challenges posed by the end-of-life management of  
5 batteries.

6 (5) It is difficult for customers to differentiate  
7 between types and chemistries of batteries so it is the best  
8 practice for battery stewardship programs to collect all  
9 battery types and chemistries.

10 § 6703. Definitions.

11 The following words and phrases when used in this chapter  
12 shall have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Battery-containing product." A product that contains or is  
15 packaged with rechargeable or primary batteries that are covered  
16 batteries. The term does not include a covered device as defined  
17 by section 102 of the Covered Device Recycling Act.

18 "Battery stewardship organization." A producer that directly  
19 implements a battery stewardship plan required under this  
20 chapter or a nonprofit organization designated by a producer or  
21 group of producers to implement a battery stewardship plan  
22 required under this chapter.

23 "Collection rate." A percentage, by weight, of covered  
24 batteries that a battery stewardship organization collects that  
25 is calculated by dividing the total weight of primary and  
26 rechargeable batteries collected during the previous calendar  
27 year by the average annual weight of primary and rechargeable  
28 batteries that were estimated to have been sold in this  
29 Commonwealth by all producers participating in that approved  
30 battery stewardship plan during the previous three calendar

1 years.

2 "Covered battery." The term:

3 (1) Includes:

4 (i) A portable battery.

5 (ii) Beginning January 1, 2029, a medium format  
6 battery.

7 (2) Does not include any of the following:

8 (i) A battery contained within a device as specified  
9 in 21 U.S.C. § 321(h) (relating to definitions;  
10 generally) as it existed as of the effective date of this  
11 subparagraph and that is not designed and marketed for  
12 sale or resale principally to consumers for personal use.

13 (ii) A battery that contains an electrolyte as a  
14 free liquid.

15 (iii) A lead acid battery under section 1510 of the  
16 Municipal Waste Planning, Recycling and Waste Reduction  
17 Act.

18 (iv) A battery in a battery-containing product that  
19 is not intended or designed to be easily removed from the  
20 battery-containing product.

21 (v) A battery that is a component of a motor vehicle  
22 or intended for use exclusively in a motor vehicle. As  
23 used in this subparagraph, a motor vehicle:

24 (A) shall include automobiles, vans, trucks,  
25 tractors, motorcycles and motorboats; and

26 (B) shall not include e-bikes, scooters or  
27 similar mobility devices.

28 (vi) A battery used or intended to be used for the  
29 storage of electricity from solar photovoltaic panels.

30 "Covered Device Recycling Act." The act of November 23, 2010

1 (P.L.1083, No.108), known as the Covered Device Recycling Act.

2 "Damaged and defective batteries." Batteries that have been  
3 damaged or identified by the manufacturer as being defective for  
4 safety reasons, that have the potential of producing a dangerous  
5 evolution of heat, fire or short circuit, as referred to in 49  
6 CFR 173.185(f) (relating to lithium cells and batteries) as of  
7 January 1, 2023, or as may be established by the department by  
8 rule to maintain consistency with Federal standards.

9 "Department." The Department of Environmental Protection of  
10 the Commonwealth.

11 "Easily removed." Designed by the manufacturer to be removed  
12 by the user of the product with no more than commonly used  
13 household tools.

14 "Medium format battery." Any of the following primary or  
15 rechargeable covered batteries:

16 (1) For rechargeable batteries, a battery weighing more  
17 than 11 pounds or having a rating of more than 300 watt-  
18 hours, or both, but weighing no more than 25 pounds and  
19 having a rating of no more than 2,000 watt-hours.

20 (2) For primary batteries, a battery weighing more than  
21 4.4 pounds but not more than 25 pounds.

22 "Municipal Waste Planning, Recycling and Waste Reduction  
23 Act." The act of July 28, 1988 (P.L.556, No.101), known as the  
24 Municipal Waste Planning, Recycling and Waste Reduction Act.

25 "Portable battery." The following primary or rechargeable  
26 covered batteries:

27 (1) For rechargeable batteries, a battery weighing no  
28 more than 11 pounds and having a rating of no more than 300  
29 watt-hours.

30 (2) For primary batteries, a battery weighing no more

1 than 4.4 pounds.

2 "Primary battery." A battery that is not capable of being  
3 recharged.

4 "Producer." The following person responsible for compliance  
5 with requirements under this chapter for a covered battery or  
6 battery-containing product sold, offered for sale or distributed  
7 in or into this Commonwealth:

8 (1) For covered batteries:

9 (i) If the battery is sold under the brand of the  
10 battery manufacturer, the producer is the person that  
11 manufactures the battery.

12 (ii) If the battery is sold under a retail brand or  
13 under a brand owned by a person other than the  
14 manufacturer, the producer is the brand owner.

15 (iii) If there is no person to which subparagraph  
16 (i) or (ii) of this definition applies, the producer is  
17 the person that is the licensee of a brand or trademark  
18 under which the battery is used in a commercial  
19 enterprise, sold, offered for sale or distributed in or  
20 into this Commonwealth, whether or not the trademark is  
21 registered in this Commonwealth.

22 (iv) If there is no person described in subparagraph  
23 (i), (ii) or (iii) within the United States, the producer  
24 is the person who is the importer of record for the  
25 battery into the United States for use in a commercial  
26 enterprise that sells, offers for sale or distributes the  
27 battery in this Commonwealth.

28 (v) If there is no person described in subparagraph  
29 (i), (ii), (iii) or (iv) with a commercial presence  
30 within this Commonwealth, the producer is the person who



1 first sells, offers for sale or distributes the battery  
2 in or into this Commonwealth.

3 (2) For covered battery-containing products:

4 (i) If the battery-containing product is sold under  
5 the brand of the product manufacturer, the producer is  
6 the person that manufactures the product.

7 (ii) If the battery-containing product is sold under  
8 a retail brand or under a brand owned by a person other  
9 than the manufacturer, the producer is the brand owner.

10 (iii) If there is no person to which subparagraph  
11 (i) or (ii) applies, the producer is the person that is  
12 the licensee of a brand or trademark under which the  
13 product is used in a commercial enterprise, sold, offered  
14 for sale or distributed in or into this Commonwealth,  
15 whether or not the trademark is registered in this  
16 Commonwealth.

17 (iv) If there is no person described in subparagraph  
18 (i), (ii) or (iii) within the United States, the producer  
19 is the person who is the importer of record for the  
20 product into the United States for use in a commercial  
21 enterprise that sells, offers for sale or distributes the  
22 product in this Commonwealth.

23 (v) If there is no person described in subparagraph  
24 (i), (ii), (iii) or (iv) with a commercial presence  
25 within this Commonwealth, the producer is the person who  
26 first sells, offers for sale or distributes the product  
27 in or into this Commonwealth.

28 (vi) A producer does not include any person who only  
29 manufactures, sells, offers for sale, distributes or  
30 imports into this Commonwealth a battery-containing

1 product if the only batteries used by the battery-  
2 containing product are supplied by a producer that has  
3 joined a registered battery stewardship organization as  
4 the producer for that covered battery under this chapter.  
5 Such a producer of covered batteries that are included in  
6 a battery-containing product must provide written  
7 certification of that membership to both the producer of  
8 the covered battery-containing product and the battery  
9 stewardship organization of which the battery producer is  
10 a member.

11 "Program." A program implemented by a battery stewardship  
12 organization consistent with an approved battery stewardship  
13 plan.

14 "Rechargeable battery." A battery that contains one or more  
15 voltaic or galvanic cells, electrically connected to produce  
16 electric energy and designed to be recharged.

17 "Recycling." As defined in section 103 of the Municipal  
18 Waste Planning, Recycling and Waste Reduction Act.

19 "Recycling efficiency rate." The ratio of the weight of  
20 covered battery components and materials recycled by a program  
21 operator from covered batteries to the weight of those covered  
22 batteries collected by the program operator.

23 "Retailer." A person who sells covered batteries or battery-  
24 containing products in or into this Commonwealth or offers or  
25 otherwise makes available covered batteries or battery-  
26 containing products to a customer, including other businesses,  
27 in this Commonwealth.

28 § 6704. Stewardship plans.

29 Beginning January 1, 2027:

30 (1) Each producer selling, offering or making available

1 for sale or distributing covered batteries or battery-  
2 containing products in or into this Commonwealth shall  
3 participate in an approved State battery stewardship plan  
4 through participation in and appropriate funding of a battery  
5 stewardship organization.

6 (2) A producer that does not participate in a battery  
7 stewardship organization and a battery stewardship plan may  
8 not sell, offer or make available for sale, or distribute  
9 covered batteries or battery-containing products covered by  
10 this chapter, in or into this Commonwealth.

11 § 6705. Retailers.

12 The following apply:

13 (1) Beginning July 1, 2027, for portable batteries, and  
14 July 1, 2029, for medium format batteries, a retailer may not  
15 sell, offer or make available for sale or distribute a  
16 covered battery or battery-containing product unless the  
17 producer of the covered battery or battery-containing product  
18 certifies to the retailer that the producer participates in a  
19 battery stewardship organization whose plan has been approved  
20 by the department.

21 (2) A retailer is not in violation of the requirements  
22 of paragraph (1) and is not subject to penalties under  
23 section 6712 (relating to fee and department role) as long as  
24 the publicly accessible Internet website made available by  
25 the department under section 6712(b)(3) lists, as of the date  
26 a product is made available for retail sale, a producer or  
27 brand of covered battery or battery-containing product sold  
28 by the retailer as being a participant in an approved plan or  
29 the implementer of an approved plan.

30 (3) Retailers of covered batteries or battery-containing

1 products are not required to make retail locations available  
2 to serve as collection sites for a stewardship program  
3 operated by a battery stewardship organization. Retailers  
4 that serve as a collection site must comply with the  
5 requirements for collection sites under section 6709  
6 (relating to collection and management requirements).

7 (4) A retailer may not sell, offer or make available for  
8 sale or distribute covered batteries or battery-containing  
9 products, unless those batteries are marked consistent with  
10 the requirements of section 6714 (relating to marking  
11 requirements for batteries). A producer of a battery-  
12 containing product must certify to the retailers of their  
13 product that the battery contained in the battery-containing  
14 product is marked consistent with the requirements of section  
15 6714. A retailer may rely on this certification for purposes  
16 of compliance under this subsection.

17 (5) A retailer selling or offering covered batteries or  
18 battery-containing products for sale in this Commonwealth may  
19 provide information, provided by the battery stewardship  
20 organization, regarding available end-of-life management  
21 options for covered batteries collected by the battery  
22 stewardship organization. The information that a battery  
23 stewardship organization must make available to retailers for  
24 voluntary use by retailers must include in-store signage,  
25 written materials and other promotional materials that  
26 retailers may use to inform customers of the available end-  
27 of-life management options for covered batteries collected by  
28 the battery stewardship organization.

29 (6) Retailers, producers or battery stewardship  
30 organizations must not charge a specific point-of-sale fee to

1 consumers to cover the administrative or operational costs of  
2 the battery stewardship organization or the battery  
3 stewardship program.

4 § 6706. Stewardship plan requirements.

5 (a) Approval.--By July 1, 2026, each battery stewardship  
6 organization must submit a plan for covered portable batteries  
7 to the department for approval. By July 1, 2028, each battery  
8 stewardship organization must submit a plan for covered medium  
9 format batteries to the department for approval. The department  
10 must review and may approve a plan based on whether the plan  
11 contains the following components:

12 (1) Lists and provides contact information for each  
13 producer, battery brand and battery-containing product brand  
14 covered in the plan.

15 (2) Proposes performance goals, consistent with section  
16 6707 (relating to performance standards), including  
17 establishing performance goals for each of the next three  
18 upcoming calendar years of program implementation.

19 (3) Describes how the battery stewardship organization  
20 will make retailers aware of the retailer's obligation to  
21 sell only covered batteries and battery-containing products  
22 of producers participating in an approved plan.

23 (4) Describes the education and communications strategy  
24 being implemented to effectively promote participation in the  
25 approved battery stewardship program and provide the  
26 information necessary for effective participation of  
27 consumers, retailers and others.

28 (5) Describes how the battery stewardship organization  
29 will make available to collection sites, for voluntary use,  
30 signage, written materials and other promotional materials

1 that collection sites may use to inform consumers of the  
2 available end-of-life management options for covered  
3 batteries collected by the battery stewardship organization.

4 (6) Lists promotional activities to be undertaken, and  
5 the identification of consumer awareness goals and strategies  
6 that the program will employ to achieve these goals after the  
7 program is implemented.

8 (7) Includes collection site safety training procedures  
9 related to covered battery collection activities at  
10 collection sites, including appropriate protocols to reduce  
11 risks of spills or fires and response protocols in the event  
12 of a spill or fire, and a protocol for safe management of  
13 damaged batteries that are returned to collection sites.

14 (8) Describes the method to establish and administer a  
15 means for fully funding the program in a manner that  
16 equitably distributes the program's costs among the producers  
17 that are part of the battery stewardship organization. For  
18 producers that elect to meet the requirements of this chapter  
19 individually, without joining a battery stewardship  
20 organization, the plan must describe the proposed method to  
21 establish and administer a means for fully funding the  
22 program.

23 (9) Describes the financing methods used to implement  
24 the plan, consistent with section 6707.

25 (10) Describes how the program will collect all covered  
26 battery chemistries and brands on a free, continuous,  
27 convenient, visible and accessible basis, and consistent with  
28 the requirements of section 6709 (relating to collection and  
29 management requirements), including a description of how the  
30 Statewide convenience standard will be met and a list of

1 collection sites, including the addresses of collection  
2 sites.

3 (11) Describes the criteria to be used in the program to  
4 determine whether an entity may serve as a collection site  
5 for discarded batteries under the program.

6 (12) Establishes collection goals for each of the first  
7 three years of implementation of the battery stewardship plan  
8 that are based on the estimated total weight of primary and  
9 rechargeable covered batteries that have been sold in this  
10 Commonwealth in the previous three calendar years by the  
11 producers participating in the battery stewardship plan.

12 (13) Identifies proposed sorters, transporters,  
13 processors and facilities to be used by the program for the  
14 final disposition of batteries and how collected batteries  
15 will be managed in an environmentally sound manner at  
16 facilities operating in compliance with human health and  
17 environmental protection standards that are broadly  
18 equivalent to or better than those required in the United  
19 States.

20 (14) Details how the program will help this Commonwealth  
21 achieve the target recycling efficiency rate, calculated  
22 consistent with section 6711 (relating to reporting  
23 requirements), of at least 60% for rechargeable batteries and  
24 at least 70% for primary batteries.

25 (15) Describes how the public education and outreach  
26 components of the program under section 6710 (relating to  
27 education and outreach requirements) will be implemented.

28 (b) Review.--The department shall review the stewardship  
29 plan for compliance with this chapter and shall approve,  
30 disapprove or conditionally approve the plan within 120 days of

1 receipt of the plan. The following shall apply:

2 (1) If the department disapproves a stewardship plan  
3 submitted by a battery stewardship organization, the  
4 department shall explain how the stewardship plan does not  
5 comply with this chapter and provide written notice to the  
6 battery stewardship organization within 30 days of  
7 disapproval.

8 (2) The battery stewardship organization may resubmit to  
9 the department a revised stewardship plan within 60 days of  
10 the date the written notice was issued and the department  
11 shall review the revised stewardship plan within 90 days of  
12 resubmittal.

13 (3) If a revised stewardship plan is disapproved by the  
14 department, a producer operating under the stewardship plan  
15 shall not be in compliance with this chapter until the  
16 department approves a stewardship plan submitted by a battery  
17 stewardship organization that covers the producer's products.

18 (c) New plan required.--A battery stewardship organization  
19 must submit a new plan to the department for approval:

20 (1) If there are significant changes to the methods of  
21 collection, transport or end-of-life management of covered  
22 batteries under section 6709 that are not provided for in the  
23 plan. The department shall identify the types of significant  
24 changes that require a new plan to be submitted to the  
25 department for approval. For purposes of this paragraph,  
26 adding or removing a processor or transporter under the plan  
27 is not considered a significant change that requires a plan  
28 resubmittal.

29 (2) To address the novel inclusion of medium format  
30 batteries as covered batteries under the plan.



1           (3) No less than every five years.

2           (d) Amendments.--A battery stewardship organization must  
3 provide plan amendments to the department for approval:

4           (1) When proposing changes to the performance goals  
5 under section 6707 based on the up-to-date experience of the  
6 program.

7           (2) When there is a change to the method of financing  
8 plan implementation under section 6708 (relating to funding).  
9 This does not include changes to the fees or fee structure  
10 established in the plan.

11           (3) When adding or removing a processor, as part of a  
12 quarterly update submitted to the department.

13           (e) Quarterly notifications.--A battery stewardship  
14 organization must notify the department on a quarterly basis if  
15 a producer begins or ceases to participate in a battery  
16 stewardship organization. This quarterly notice, if required,  
17 must include a current list of the producers and brands  
18 participating in the plan.

19           (f) Revised plan.--No earlier than five years after the  
20 initial approval of a plan, the department may require a battery  
21 stewardship organization to submit a revised plan, which may  
22 include improvements to the collection site network or increased  
23 expenditures dedicated to education and outreach, if the  
24 approved plan has not met the performance goals under section  
25 6707.

26 § 6707. Performance standards.

27           (a) Goals required.--Each battery stewardship plan must  
28 include performance goals that measure, on an annual basis, the  
29 achievements of the program, including:

30           (1) The collection rate for batteries in this

1 Commonwealth.

2 (2) The recycling efficiency rate of the program.

3 (3) Public convenience and accessibility of the program.

4 (b) Targets.--The performance goals established in each

5 battery stewardship plan must include:

6 (1) Target collection rates for primary batteries and  
7 for rechargeable batteries.

8 (2) Target recycling efficiency rates of at least 60%  
9 for rechargeable batteries and at least 70% for primary  
10 batteries.

11 (3) Goals for convenience and accessibility that meet or  
12 exceed the minimum requirements established in section 6709  
13 (relating to collection and management requirements).

14 (4) A battery stewardship organization is not authorized  
15 to reduce or cease collection, education and outreach or  
16 other activities implemented under an approved plan based on  
17 achievement of program performance goals.

18 § 6708. Funding.

19 (a) Availability.--Each battery stewardship organization  
20 must ensure that adequate funding is available to fully  
21 implement approved battery stewardship plans, including the  
22 implementation of aspects of the plan addressing:

23 (1) Covered battery collection, transporting and  
24 processing.

25 (2) Education and outreach.

26 (3) Program evaluation.

27 (4) Payment of the administrative fees to the department  
28 under section 6712 (relating to fee and department role).

29 (b) Collection of funds.--A battery stewardship organization  
30 implementing a battery stewardship plan on behalf of producers

1 must develop a system to collect charges from participating  
2 producers to cover the costs of plan implementation. Each  
3 battery stewardship organization:

4 (1) Is responsible for all costs of participating  
5 covered battery collection, transportation, processing,  
6 education, administration, department reimbursement,  
7 recycling and end-of-life management in accordance with the  
8 requirements of this chapter.

9 (2) Shall adopt environmentally sound management  
10 practices which include the following:

11 (i) Comply with all applicable laws and rules in  
12 place to protect workers, public health and the  
13 environment.

14 (ii) Provide for adequate recordkeeping, tracking  
15 and documenting of the fate of materials within this  
16 Commonwealth and beyond.

17 (iii) Include comprehensive liability coverage for  
18 the battery stewardship organization, including  
19 environmental liability coverage that is commercially  
20 practicable.

21 (3) Must reimburse local governments and solid waste or  
22 recyclables handling facilities for demonstrable costs  
23 incurred as a result of a local government facility or solid  
24 waste or recyclables handling facility serving as a  
25 collection site for its program, including associated labor  
26 costs, storage and other costs associated with accessibility  
27 and collection site standards.

28 (4) Shall, at a minimum, provide collection sites with  
29 appropriate containers for covered batteries subject to its  
30 program, training, signage, safety guidance and educational

1 materials, at no cost to the collection sites.

2 § 6709. Collection and management requirements.

3 (a) Collection.--Each battery stewardship organization  
4 implementing a battery stewardship plan must provide for the  
5 collection of all covered batteries, including all chemistries  
6 and brands of covered batteries, on a free, continuous,  
7 convenient, visible and accessible basis to any person,  
8 business, government department or agency or nonprofit  
9 organization. Except as provided in subsection (b) (2), each  
10 battery stewardship plan must allow any person, business,  
11 government department or agency or nonprofit organization to  
12 deliver each chemistry and brand of covered battery at each  
13 collection site that counts toward the satisfaction of the  
14 collection site criteria in subsection (c).

15 (b) Requirements.--Each battery stewardship organization  
16 implementing a battery stewardship plan must provide as follows:

17 (1) For each collection site utilized by the program,  
18 suitable collection containers for covered batteries that are  
19 segregated from other solid waste or make mutually agreeable  
20 alternative arrangements for the collection of batteries at  
21 the site. The location of collection containers at each  
22 collection site used by the program must be within view of a  
23 responsible person and must be accompanied by signage made  
24 available to the collection site by the battery stewardship  
25 organization that informs customers regarding the end-of-life  
26 management options for batteries provided by the collection  
27 site under this chapter. Each collection site must meet  
28 applicable Federal, State and local regulatory requirements  
29 while adhering to the operations manual and other safety  
30 information provided to the collection site by the battery

1 stewardship organization.

2 (2) That medium format batteries may only be collected  
3 at household hazardous waste collection sites or other  
4 staffed collection sites that meet applicable Federal, State  
5 and local regulatory requirements to manage medium format  
6 batteries.

7 (3) For damaged and defective batteries:

8 (i) Collected only at collection sites staffed by  
9 persons trained to handle and ship those batteries.

10 (ii) Each battery stewardship organization must  
11 provide for collection in each county of this  
12 Commonwealth, either through collection sites or  
13 collection events, with qualified staff as specified in  
14 subparagraph (i). Collection events should be provided  
15 periodically throughout the year where practicable, but  
16 must be provided at least once per year at a minimum, in  
17 each county in which there are not permanent collection  
18 sites providing for the collection of damaged and  
19 defective batteries.

20 (c) Management.--Each battery stewardship organization  
21 implementing a battery stewardship plan must provide as follows:

22 (1) A battery stewardship plan that ensures Statewide  
23 collection opportunities for all covered batteries. The  
24 following shall apply:

25 (i) Battery stewardship organizations shall  
26 coordinate activities with other program operators,  
27 including other covered battery collection and recycling  
28 programs and electronic waste recyclers, with regard to  
29 the proper management or recycling of collected covered  
30 batteries, for purposes of providing the efficient

1 delivery of services and avoiding unnecessary duplication  
2 of effort and expense.

3 (ii) Statewide collection opportunities must be  
4 determined by geographic information that considers  
5 permanent collection sites.

6 (iii) A program may rely, in part, on collection  
7 events to supplement the permanent collection services  
8 required in paragraphs (2) and (3).

9 (iv) Only permanent collection services specified in  
10 paragraphs (2) and (3) qualify toward the satisfaction of  
11 the requirements of this subsection.

12 (2) For portable batteries, each battery stewardship  
13 organization must provide Statewide collection opportunities  
14 that include:

15 (i) One permanent collection site in each county  
16 that has a population density that is less than 250  
17 individuals per square mile.

18 (ii) Two permanent collection sites in each county  
19 that has a population density that is greater than or  
20 equal to 250 individuals per square mile but less than  
21 500 individuals per square mile.

22 (iii) Three permanent collection sites in each  
23 county that has a population density that is greater than  
24 or equal to 500 individuals per square mile but less than  
25 750 individuals per square mile.

26 (iv) Four permanent collection sites in each county  
27 that has a population density that is greater than or  
28 equal to 750 individuals per square mile but less than  
29 1,000 individuals per square mile.

30 (v) Five permanent collection sites in each county

1 that has a population density that is greater than or  
2 equal to 1,000 individuals per square mile but less than  
3 5,000 individuals per square mile.

4 (vi) Fifteen permanent collection sites in each  
5 county that has a population density that is greater than  
6 or equal to 5,000 individuals per square mile.

7 (vii) If a municipality has a population of more  
8 than 1,000,000 residents, the program shall provide 10  
9 additional permanent collection sites to be located  
10 within that municipality, with the collection sites  
11 required by paragraph (vi) to be located, to the extent  
12 reasonably possible, outside the municipality.

13 (viii) Collection opportunities for portable  
14 batteries at special locations where batteries are often  
15 spent and replaced, including supervised locations at  
16 parks with stores and campgrounds.

17 (3) For medium format batteries, a battery stewardship  
18 organization must provide statewide collection opportunities  
19 that include:

20 (i) At least 10 permanent collection sites in this  
21 Commonwealth during the initial five-year plan period.

22 (ii) Reasonable geographic dispersion of permanent  
23 collection sites throughout this Commonwealth.

24 (iii) After the initial five-year plan period, a  
25 permanent collection site in each county of at least  
26 200,000 persons, as determined by the most recent Federal  
27 decennial census.

28 (iv) A battery stewardship organization must ensure  
29 that there is a collection event at least once every  
30 three years in each county of this Commonwealth which

1 does not have a permanent collection site. The collection  
2 events must provide for the collection of all medium  
3 format batteries, including damaged and defective  
4 batteries.

5 (d) Services and facilities.--Each battery stewardship  
6 organization implementing a battery stewardship plan must:

7 (1) Use existing public and private waste collection  
8 services and facilities, including where cost effective,  
9 mutually agreeable and otherwise practicable, battery  
10 collection sites that are established through other battery  
11 collection programs, services, transporters, consolidators,  
12 processors and retailers.

13 (2) Use as a collection site for covered batteries any  
14 retailer, wholesaler, municipality, solid waste management  
15 facility, household hazardous waste facility or other entity  
16 that meets the criteria for collection sites in the approved  
17 plan up to the minimum number of sites required for  
18 compliance with subsection (c), upon the submission of a  
19 request by an entity to the battery stewardship organization  
20 to serve as a collection site. Battery stewardship programs  
21 may use additional collection sites in excess of the minimum  
22 required in subsection (c) as may be agreed upon between the  
23 battery stewardship organization and the collection site.

24 (3) Use as a site for a collection event for covered  
25 batteries a retailer, wholesaler, municipality, solid waste  
26 management facility, household hazardous waste facility or  
27 other entity that meets the criteria for collection events in  
28 the approved plan up to the minimum number of sites required  
29 for compliance with subsection (c), upon the submission of a  
30 request by an entity to the battery stewardship organization



1 to serve as a site for a collection event. Battery  
2 stewardship programs may use additional sites for collection  
3 events in excess of the minimum required in subsection (c) as  
4 may be agreed upon between the battery stewardship  
5 organization and the collection site.

6 (4) A battery stewardship organization may issue a  
7 warning, suspend or terminate a collection site or service  
8 that does not adhere to the collection site criteria in the  
9 approved plan or that poses an immediate health and safety  
10 concern.

11 (e) Programs.--Battery stewardship programs:

12 (1) Are required to provide for the collection of loose  
13 covered batteries.

14 (2) Are not required to provide for the collection of  
15 battery-containing products.

16 (3) Are not required to provide for the collection of  
17 batteries that either:

18 (i) Are not easily removed from the product other  
19 than by the manufacturer.

20 (ii) Remain contained in a battery-containing  
21 product at the time of delivery to a collection site.

22 (4) Are not required to provide for the collection of  
23 batteries still contained in a covered device as defined by  
24 the Covered Device Recycling Act.

25 § 6710. Education and outreach requirements.

26 (a) Promotional activities.--Each battery stewardship  
27 organization must carry out promotional activities in support of  
28 plan implementation, including all of the following:

29 (1) Development and maintenance of a publicly accessible  
30 Internet website.

1           (2) Development and distribution of periodic press  
2 releases and articles.

3           (3) Development and placement of advertisements for use  
4 on social media or other relevant media platforms.

5           (4) Development of promotional materials about the  
6 program and the restriction on the disposal of covered  
7 batteries in section 6715 (relating to general battery  
8 disposal and collection requirements) to be used by  
9 retailers, government agencies, waste and recycling  
10 collectors, nonprofit organizations and other entities or  
11 individuals.

12           (5) Development and distribution of collection site  
13 safety training procedures that are in compliance with  
14 Commonwealth law applicable to collection sites to help  
15 ensure proper management of covered batteries at collection  
16 sites.

17           (6) Development and implementation of outreach and  
18 educational resources that are conceptually, linguistically  
19 and culturally accurate for the communities served and reach  
20 this Commonwealth's diverse ethnic populations, including  
21 through meaningful consultation with communities that bear  
22 disproportionately higher levels of adverse environmental and  
23 social justice impacts.

24           (b) Information required.--Each battery stewardship  
25 organization must provide:

26           (1) Consumer-focused educational promotional materials  
27 to each collection site used by the program and accessible by  
28 customers of retailers that sell covered batteries or  
29 battery-containing products.

30           (2) Safety information related to covered battery

1 collection activities to the operator of each collection  
2 site, including appropriate protocols to reduce risks of  
3 spills or fires, response protocols in the event of a spill  
4 or fire and response protocols in the event of detection of a  
5 damaged or defective battery.

6 (3) Educational materials to the operator of each  
7 collection site for the management of recalled batteries,  
8 which are not intended to be part of collection as provided  
9 under section 6709 (relating to collection and management  
10 requirements), to help facilitate transportation and  
11 processing of recalled batteries.

12 (c) Reimbursement.--A battery stewardship organization may  
13 seek reimbursement from the producer of any recalled battery for  
14 expenses incurred in the collection, transportation or  
15 processing of those batteries.

16 (d) Duties.--Upon request by a retailer or other potential  
17 collector, the battery stewardship organization must provide the  
18 retailer or other potential collector educational materials  
19 describing collection opportunities for batteries.

20 (e) Reporting.--If multiple battery stewardship  
21 organizations are implementing plans approved by the department,  
22 the battery stewardship organizations must coordinate in  
23 carrying out the education and outreach responsibilities under  
24 this section and must include in the annual reports to the  
25 department under section 6711 (relating to reporting  
26 requirements) a summary of the coordinated education and  
27 outreach efforts.

28 § 6711. Reporting requirements.

29 (a) Annual reports.--By June 1, 2028, and each June 1  
30 thereafter, each battery stewardship organization must submit an

1 annual report to the department covering the preceding calendar  
2 year of battery stewardship plan implementation. The report must  
3 include:

4 (1) A summary financial statement in accordance with the  
5 following:

6 (i) The statement must:

7 (A) Document the financing of the battery  
8 stewardship organization's program.

9 (B) Provide an analysis of program costs and  
10 expenditures, including an analysis of the program's  
11 expenses, including collection, transportation,  
12 recycling, education and administrative overhead.

13 (C) Be sufficiently detailed to provide  
14 transparency that funds collected from producers as a  
15 result of their activities in this Commonwealth are  
16 spent on program implementation in this Commonwealth.

17 (ii) Battery stewardship organizations implementing  
18 similar battery stewardship programs in multiple states  
19 may submit a financial statement including all covered  
20 states, as long as the statement breaks out financial  
21 information pertinent to this Commonwealth.

22 (2) The weight, by chemistry, of covered batteries  
23 collected under the program.

24 (3) The weight of materials recycled from covered  
25 batteries collected under the program, in total, and by  
26 method of battery recycling.

27 (4) A calculation of the recycling efficiency rates, as  
28 measured consistent with subsection (b).

29 (5) For each facility used for the final disposition of  
30 batteries, a description of how the facility recycled or

1 otherwise disposed of batteries and battery components.

2 (6) The weight and chemistry of batteries sent to each  
3 facility used for the final disposition of batteries. The  
4 information in subsection (a)(5) may be approximated for  
5 program operations in this Commonwealth based on  
6 extrapolations of national or regional data for programs in  
7 operation in multiple states.

8 (7) The collection rate achieved under the program,  
9 including a description of how this collection rate was  
10 calculated and how the collection rate compares to the  
11 collection rate goals under section 6707 (relating to  
12 performance standards).

13 (8) The estimated aggregate sales, by weight and  
14 chemistry, of batteries and batteries contained in or with  
15 battery-containing products sold in this Commonwealth by  
16 participating producers for each of the previous three  
17 calendar years.

18 (9) A description of the manner in which the collected  
19 batteries were managed and recycled, including a discussion  
20 of best available technologies and the recycling efficiency  
21 rate.

22 (10) A description of education and outreach efforts  
23 supporting plan implementation, including:

24 (i) A summary of education and outreach provided to  
25 consumers, collection sites, manufacturers, distributors  
26 and retailers by the program operator for the purpose of  
27 promoting the collection and recycling of covered  
28 batteries.

29 (ii) A description of how the education under  
30 subparagraph (i) and outreach meet the requirements of

1 section 6710 (relating to education and outreach  
2 requirements).

3 (iii) Samples of education and outreach materials.

4 (iv) A summary of coordinated education and outreach  
5 efforts with any other battery stewardship organizations  
6 implementing a plan approved by the department.

7 (v) A summary of any changes made during the  
8 previous calendar year to education and outreach  
9 activities.

10 (11) A list of all collection sites, an address for each  
11 listed site and an up-to-date map indicating the location of  
12 all collection sites used to implement the program, with  
13 links to appropriate publicly accessible Internet websites if  
14 there are existing publicly accessible Internet websites  
15 associated with a site.

16 (12) A description of methods used to collect, transport  
17 and recycle covered batteries by the battery stewardship  
18 organization.

19 (13) A summary on progress made toward the program  
20 performance goals established under section 6707 and an  
21 explanation of why performance goals were not met, if  
22 applicable.

23 (b) Count.--The weight of batteries or recovered resources  
24 from those batteries must only be counted once and may not be  
25 counted by more than one battery stewardship organization.

26 (c) Other reporting requirements.--In addition to the  
27 requirements of subsection (a), with respect to each facility  
28 used in the processing or disposition of batteries collected  
29 under the program, each battery stewardship organization must  
30 report:

1       (1) Whether the facility is located domestically, in an  
2 organization for economic cooperation and development country  
3 or in a country that meets organization for economic  
4 cooperation and development operating standards.

5       (2) What facilities processed the batteries and for  
6 domestic facilities a summary of any violations of  
7 environmental laws and regulations over the previous three  
8 years at each facility.

9       (d) Covered batteries.--If a battery stewardship  
10 organization has disposed of covered batteries through energy  
11 recovery, incineration or landfilling during the preceding  
12 calendar year of program implementation, the annual report must  
13 specify the steps that the battery stewardship organization will  
14 take to make the recycling of covered batteries cost effective,  
15 where possible, or to otherwise increase battery recycling rates  
16 achieved by the battery stewardship organization.

17       (e) Confidentiality.--

18       (1) A producer or battery stewardship organization that  
19 submits information or records to the department under this  
20 chapter may request that the information or records be made  
21 available only for the confidential use of the department,  
22 the secretary of the department or the appropriate division  
23 of the department.

24       (2) The Secretary of Environmental Protection must  
25 consider the request and if this action is not detrimental to  
26 the public interest and can otherwise be restricted in  
27 accordance with the policies and purposes of the act of  
28 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know  
29 Law, the Secretary of Environmental Protection must grant the  
30 request for the information to remain confidential.

1 § 6712. Fee and department role.

2 (a) Fees.--Each battery stewardship organization submitting  
3 a battery stewardship plan, revision or amendment, shall pay a  
4 fee to the department as follows:

5 (1) The fee shall be sufficient to cover the  
6 department's full costs of implementing, administering and  
7 enforcing this chapter.

8 (2) Prior to June 1, 2026, and every other June 1  
9 thereafter, the department shall identify the costs incurred  
10 under this section and set a fee schedule for plan  
11 submissions that is adequate to reimburse the department's  
12 full costs of administering this chapter.

13 (3) The total amount of the annual fees collected under  
14 this section shall not exceed the amount necessary to  
15 reimburse costs incurred by the department to administer this  
16 section.

17 (b) Departmental duties.--The responsibilities of the  
18 department in implementing, administering and enforcing this  
19 chapter include:

20 (1) Reviewing submitted stewardship plans and plan  
21 amendments and making determinations on the plan or plan  
22 amendment. The following shall apply:

23 (i) The department must provide a letter of approval  
24 or conditional approval for the plan or plan amendment if  
25 the plan provides for the establishment of a stewardship  
26 program that meets the requirements of sections 6706  
27 (relating to stewardship plan requirements), 6707  
28 (relating to performance standards), 6708 (relating to  
29 funding), 6709 (relating to collection and management  
30 requirements) and 6710 (relating to education and



1           outreach requirements).

2           (ii) If a plan or plan amendment is rejected, the  
3           department must provide the reasons for rejecting the  
4           plan to the battery stewardship organization. The battery  
5           stewardship organization must submit a new plan within 60  
6           days after receipt of the letter of disapproval.

7           (iii) If a plan or an amendment to an approved plan  
8           is submitted under this section, the department shall  
9           make the proposed plan or amendment available for public  
10          review and comment for at least 30 days.

11          (2) Reviewing annual reports submitted under section  
12          6711 (relating to reporting requirements) within 90 days of  
13          submission to ensure compliance with that section.

14          (3) Ensuring public awareness by:

15                (i) Maintaining a publicly accessible Internet  
16                website that lists producers and the brands that are  
17                participating in an approved battery stewardship plan,  
18                and that makes available to the public each plan, plan  
19                amendment and annual report received by the department  
20                under this chapter.

21                (ii) Upon the date the first plan is approved or  
22                conditionally approved, posting on the department's  
23                publicly accessible Internet website a list of producers  
24                and the brands for which the department has approved a  
25                plan. The department must update the list of producers  
26                and brands participating under an approved program plan  
27                based on information provided to the department from  
28                battery stewardship organizations.

29          (4) Providing technical assistance to producers and  
30          retailers related to the requirements of this chapter and

1 issuing orders or imposing civil penalties authorized under  
2 section 6713 (relating to penalties and civil actions) where  
3 the technical assistance efforts do not lead to compliance by  
4 a producer or retailer.

5 § 6713. Penalties and civil actions.

6 (a) Civil penalty.--

7 (1) Except as provided in paragraph (2), a person who  
8 violates any provision of this chapter is liable for a civil  
9 penalty of \$2,500 per violation.

10 (2) For the failure to pay a fee under this chapter, a  
11 person who fails to pay the fee is liable for a civil penalty  
12 that is double the applicable fee.

13 (b) Civil actions.--The penalties under this section may be  
14 recovered in a civil action brought by the department. Any  
15 penalties collected under this section in an action in which the  
16 department has prevailed shall be deposited into the  
17 Commonwealth of Pennsylvania, Recycling Fund, to be used in  
18 accordance with the provision of the Municipal Waste Planning,  
19 Recycling and Waste Reduction Act.

20 (c) Other civil remedies.--The department may institute a  
21 civil action for an injunction, prohibitory or mandatory, to  
22 restrain violations of this chapter or to require actions as may  
23 be necessary to address violations of this chapter.

24 (d) Other remedies.--The penalties and injunctions provided  
25 in this chapter are in addition to any penalties, injunctions or  
26 other relief under any other State law. Nothing in this chapter  
27 bars a cause of action by the Commonwealth for any other  
28 penalty, injunction or other relief provided by any other  
29 applicable law.

30 (e) Falsification.--A person who knowingly makes a false,

1 fictitious or fraudulent material statement, orally or in  
2 writing, to the department, related to or required by this  
3 chapter or any rule adopted under this chapter, commits a  
4 misdemeanor of the third degree, under 18 Pa.C.S. § 4904(b)  
5 (relating to unsworn falsification to authorities).

6 (f) Limitation.--No penalty may be assessed on an individual  
7 or resident for the improper disposal of covered batteries under  
8 section 6715 (relating to general battery disposal and  
9 collection requirements) in a noncommercial or residential  
10 setting.

11 § 6714. Marking requirements for batteries.

12 (a) Marking.--Beginning January 1, 2028, a producer or  
13 retailer may only sell, distribute or offer for sale in or into  
14 this Commonwealth a medium format battery, covered battery or  
15 battery-containing product that contains a battery that is  
16 designed or intended to be easily removed from the product, if  
17 the battery is:

18 (1) Marked with an identification of the producer of the  
19 battery, unless the battery is less than one-half inch in  
20 diameter or does not contain a surface whose length exceeds  
21 one-half inch.

22 (2) Beginning January 1, 2030, marked with proper  
23 labeling to ensure proper collection and recycling, by  
24 identifying the chemistry of the battery, including an  
25 indication that the battery should not be disposed of as  
26 household waste.

27 (b) Certification.--A producer shall certify to the  
28 producer's customers, or to the retailer if the retailer is not  
29 the customer, that the requirements of this section have been  
30 met, under section 6705 (relating to retailers).

1 (c) Amendments to requirements.--The department may amend,  
2 by rule, the requirements of subsection (a) to maintain  
3 consistency with the labeling requirements or voluntary  
4 standards for batteries established by Federal law.

5 § 6715. General battery disposal and collection requirements.

6 Effective January 1, 2027, for portable batteries and January  
7 1, 2029, for medium format batteries, the following shall apply:

8 (1) Each person must handle unwanted covered batteries  
9 through one of the following options:

10 (i) Delivery to the collection sites established by  
11 or included in the programs created by this chapter.

12 (ii) For covered batteries generated by persons that  
13 are regulated generators of batteries covered under  
14 Federal or State hazardous or solid waste laws,  
15 management in a manner consistent with the requirements  
16 of those laws.

17 (2) A fee may not be charged at the time unwanted  
18 covered batteries are delivered or collected for management.

19 (3) All covered batteries may only be collected,  
20 transported and processed in a manner that meets the  
21 standards established for a battery stewardship organization  
22 in a plan approved by the department, unless the batteries  
23 are being managed as described in paragraph (1)(ii).

24 (4) A person may not place covered batteries in waste  
25 containers for disposal at incinerators, waste-to-energy  
26 facilities or landfills.

27 (5) A person may not place covered batteries in or on a  
28 container for mixed recyclables unless there is a separate  
29 location or compartment made available and designated for the  
30 covered battery that complies with local government

1 collection standards or guidelines.

2 (6) An owner or operator of a solid waste facility may  
3 not be found in violation of this section if the facility has  
4 posted in a conspicuous location a sign stating that covered  
5 batteries must be managed through collection sites  
6 established by a battery stewardship organization and are not  
7 accepted for disposal.

8 (7) A solid waste collector may not be found in  
9 violation of this section for a covered battery placed in a  
10 disposal container by the generator of the covered battery.

11 § 6716. Assessing battery-containing products.

12 (a) Assessment required.--By July 1, 2028, each battery  
13 stewardship organization must complete an assessment of the  
14 opportunities and challenges associated with the end-of-life  
15 management of batteries not intended or designed to be easily  
16 removed by a customer that are contained in battery-containing  
17 products, including medical devices, and in electronic products  
18 that are not covered devices as defined by the Covered Device  
19 Recycling Act.

20 (b) Consultations.--Each battery stewardship organization  
21 must consult with the department, other battery stewardship  
22 organizations and interested stakeholders in completing the  
23 assessment. The assessment must identify any adjustments to the  
24 stewardship program requirements established in this chapter  
25 that would enhance public health, safety and environmental  
26 benefits.

27 (c) Topics.--The assessment must consider:

28 (1) The different categories and uses of battery-  
29 containing products.

30 (2) The current methods by which unwanted battery-

1 containing products are managed in this Commonwealth and  
2 nearby states.

3 (3) Challenges posed by the potential collection,  
4 management and transport of battery-containing products,  
5 including challenges associated with removing batteries that  
6 were not intended or designed to be easily removed from  
7 products, other than by the manufacturer.

8 (4) Which criteria of this chapter may apply to battery-  
9 containing products in a manner that is identical or  
10 analogous to the requirements applicable to covered  
11 batteries.

12 (d) Report.--By October 1, 2028, the department must submit  
13 a report to the General Assembly containing the findings of the  
14 assessments required in this section.

15 § 6717. Antitrust.

16 Producers and battery stewardship organizations acting on  
17 behalf of producers that prepare, submit and implement a battery  
18 stewardship program plan pursuant to this chapter and who are  
19 thereby subject to regulation by the department, are granted  
20 immunity from Commonwealth laws relating to antitrust, restraint  
21 of trade, unfair trade practices and other regulation of trade  
22 and commerce, for the limited purpose of planning, reporting and  
23 operating their battery stewardship program, including:

24 (1) The creation, implementation or management of a  
25 battery stewardship organization and any battery stewardship  
26 plan regardless of whether the plan is submitted, denied or  
27 approved.

28 (2) The determination of the cost and structure of a  
29 battery stewardship plan.

30 (3) The types or quantities of batteries being recycled

1 or otherwise managed under this chapter.

2 § 6718. Other collection of batteries.

3 Nothing in this chapter shall prevent or prohibit an  
4 individual or entity from offering or performing a fee-based  
5 household collection or a mail-back program for end-of-life  
6 portable batteries or medium format batteries independently of a  
7 battery stewardship program if the individual or entity meets  
8 the following requirements:

9 (1) The services must be performed, and the facilities  
10 must be operated, in compliance with all applicable Federal,  
11 State and local laws and requirements, including all  
12 applicable United States Department of Transportation  
13 regulations and all applicable provisions of State law.

14 (2) The individual or entity must make available all  
15 batteries collected from customers within this Commonwealth  
16 to the battery stewardship organization.

17 (3) After consolidation of portable or medium format  
18 batteries at the facilities, the costs for transporting the  
19 batteries to the battery stewardship organization's  
20 designated sorters or processors shall be at the battery  
21 stewardship organization's expense.

22 Section 2. The provisions of this act are severable. If any  
23 provision of this act or its application to any person or  
24 circumstance is held invalid, the invalidity shall not affect  
25 other provisions or applications of this act which can be given  
26 effect without the invalid provision or application.

27 Section 3. This act shall take effect in 60 days.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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|                   |  |                            |   |
|-------------------|--|----------------------------|---|
| <b>Bill No:</b>   | HB1233 PN1370                                  | <b>Prepared By:</b>        | Andrew McMenamin<br>(717) 783-4043,6941 |
| <b>Committee:</b> | Environmental & Natural<br>Resource Protection | <b>Executive Director:</b> | Evan Franzese                           |
| <b>Sponsor:</b>   | Siegel, Joshua                                 |                            |   |
| <b>Date:</b>      | 4/16/2025                                      |                            |   |

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### **A. Brief Concept**

Creates a stewardship program for safe disposal of portable and medium format batteries up to 25 pounds.

### **C. Analysis of the Bill**

HB 1233 adds Chapter 67 (Portable Battery Stewardship) to Title 27 (Environmental Resources) of the PA Consolidated Statutes. This bill requires producers of covered batteries to participate in an approved battery stewardship plan through participation in a battery stewardship organization (BSO). Producers that do not participate would be prohibited from selling or distributing covered batteries in PA.

#### **Prohibited Sale and Marking Requirements**

Prohibits retailers from selling covered batteries or products containing covered batteries without certification that the producer participates in a BSO, as follows:

- Beginning July 1, 2027 for portable batteries.
- Beginning July 1, 2029 for medium format batteries.

Requires batteries to be marked as follows:

- Beginning January 1, 2028, batteries and products would need to be marked with an identification of the producer of the battery, unless the battery is smaller than .5 inches.
- Beginning January 1, 2030, batteries and products would need to be marked with proper labeling to ensure proper collection and recycling.

Provides that retailers are not required to make their locations available to serve as collection sites.

Prohibits retailers, producers, or BSOs from charging a specific point-of-sale fee to cover administrative or operational costs of the BSO or stewardship program.

#### **Stewardship Plans**

Requires BSOs to submit a plan for covered portable batteries to DEP for approval by July 1, 2026, and for covered medium format batteries by July 1, 2028. DEP would be required to review plans and make a determination within 120 days of receipt.

Requires BSOs to submit new plans and amendments as necessary, but no less than every 5 years or if there are significant changes not provided for in the plan.

Requires BSOs to keep DEP up to date on producers participating in the plan.

#### **Funding**

Requires BSOs to ensure adequate funding is available to fully implement approved stewardship plans.



Requires BSOs to develop a system to collect charges from participating producers to cover implementation costs. Each BSO:

- Is responsible for all costs to comply with the requirements of the act.
- Must reimburse local governments and solid waste/recycling facilities for costs incurred by serving as a collection site.

## **Collection and Management Requirements**

Requires BSOs to provide for the collection of all covered batteries on a free, continuous, convenient, visible and accessible basis, as follows:

- The BSO would provide suitable collection containers for each collection site that are easy for consumers to find.
- Medium format batteries may only be collected at household hazardous waste collection sites or other staffed collection sites.
- Damaged and defective batteries may only be collected at sites staffed by persons trained accordingly, with sites or collection events in each county.

Establishes requirements for portable battery collection sites on a county-by-county basis, based on population density, as follows:

- 1 permanent collection site in each county with a population density less than 250 people per square mile.
- 2 sites in counties with a population density between 250 and 500 per square mile.
- 3 sites in counties with a population density between 500 and 750 per square mile.
- 4 sites in counties with a population density between 750 and 1,000 per square mile.
- 5 sites in a county with a population density between 1,000 and 5,000 per square mile.
- Philadelphia would be required to provide 10 additional permanent collection sites.

Establishes requirements for medium format battery collection sites as follows:

- BSOs would be required to establish 10 permanent collection sites across PA, dispersed geographically.
- Following an initial 5-year period, BSOs would be required to establish a permanent collection site in each county with a population greater than 200,000.
- Collection events must occur in at least once every 3 years in each county without a permanent collection site.

Requires battery stewardship programs to provide for the collection of loose batteries. Programs would not be required to provide for the collection of:

- battery-containing products.
- batteries that are not easily removed from the product other than by the manufacturer.
- batteries that remain contained in a product at the time of delivery to a collection site.
- batteries still contained in a covered device under the Covered Device Recycling Act (CDRA).

Requires BSOs to carry out promotional activities that support plan implementation.

## **Fee and Department Duties**

Requires BSOs submitting a battery stewardship plan, revision or amendment to pay a fee to DEP. The fee would be limited to costs incurred by the department.

Requires DEP to do the following:

- Review submitted stewardship plans and make determinations.
- Review annual reports within 90 days of submission.
- Ensure public awareness.
- Provide technical assistance to producers and retailers.

## **Penalties and Civil Actions**

Provides for the following penalties, to be deposited into the Recycling Fund:

- \$2,500 penalty per violation for a person who violates any provision of the act.
- A person who fails to pay a fee under this act would be liable for a civil penalty double the applicable fee.
- These penalties would not apply to an individual or resident for improper disposal of covered batteries in a noncommercial or residential setting.

Allows DEP to bring a civil action to recover penalties.

## **General Battery Disposal and Collection Requirements**

Requires people to handle unwanted covered batteries by:

- Delivering to collection sites established under this act.
- Managing in a manner consistent with relevant Federal or state hazardous or solid waste laws.

Prohibits charging fees for delivering or collecting covered batteries for management.

Prohibits people from placing covered batteries:

- in waste containers for disposal at incinerators, waste-to-energy facilities or landfills.
- with mixed recyclables, unless done so in compliance with local government collection standards.

Provides that a solid waste collector may not be found in violation of this section for a covered battery placed in a disposal container by the generator of the covered battery.

## **Reporting and Assessment of Additional Products**

Requires BSOs to submit an annual report on plan implementation, beginning June 1, 2028, and each June 1 thereafter. BSOs could request contents be made confidential and available only for department use.

Requires BSOs to assess stewardship program requirements for batteries not intended to be easily removed by a customer, by June 1, 2028. This includes medical devices and electronics not covered by the Covered Device Recycling Act.

Requires DEP to submit a report containing assessment findings to the General Assembly by October 1, 2028.

## **Antitrust**

Exempts producers and BSOs subject to regulations under this section from state antitrust laws.

## **Other Collection of Batteries**

Allows other entities to perform fee-based household or mail collection for end-of-life covered batteries independent of a battery stewardship program, in coordination with a BSO.

## **Definitions**

*Battery-containing product* does not include covered devices under the Covered Devices Recycling Act, which generally includes televisions and computers.

*Battery stewardship organization* (or BSO) means "a producer that directly implements a battery stewardship plan required under this chapter or a nonprofit organization designated by a producer or group of producers to implement a battery stewardship plan required under this chapter."

*Covered battery* includes a portable battery or a medium format battery (the latter beginning in 2028). The term does not include:

- Medical devices that are not designed and marketed principally to consumers for personal use.
- Batteries containing an electrolyte as a free liquid.
- A lead acid battery.
- A battery in a product that is not intended or designed to be easily removed from the product.
- An EV battery.
- A solar storage battery.

*Medium format battery* includes:

- A rechargeable battery weighing between 11 pounds and 25 pounds or having a rating between 300 watt-hours and 2,000 watt-hours.
- A primary battery weighing between 4.4 pounds and 25 pounds.

*Portable battery* includes:

- A rechargeable battery weighing less than 11 pounds and having a rating of no more than 300 watt-hours.
- A primary battery weighing less than 4.4 pounds.

*Primary battery* means "a battery that is not capable of being recharged."

#### **Effective Date:**

60 days

#### **G. Relevant Existing Laws**

State law does not currently provide for battery stewardship programs.

A *covered device* under the CDRA is defined to mean "a covered computer device and covered television device marketed and intended for use by a consumer." The term does not include:

- a device that is a part of a motor vehicle or any component part of a motor vehicle assembled by or for a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;
- a device that is functionally or physically a part of or connected to or integrated within equipment or a system designed and intended for use in an industrial, governmental, commercial, research and development or medical setting, including, but not limited to, diagnostic, monitoring, control or medical products as defined under the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.), or equipment used for security, sensing, monitoring, antiterrorism, emergency services purposes or equipment designed and intended primarily for use by professional users;
- a device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, air purifier or exercise equipment; or
- any of the following:
  - Telephone of any type, including a mobile phone.
  - Personal digital assistant.
  - Global positioning system.

#### **E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

HB 1233 was previously introduced as HB 2241 during the 2023-2024 Legislative Session.

HB 2241 was reported as amended (14-11, party line) on June 4, 2024 and passed the House (115-86) on July 8, 2024. The bill was referred to the Senate Environmental Resources and Energy Committee on July 12, 2024, but received no further consideration.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 192 Session of  
2025

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INTRODUCED BY HILL-EVANS, RIVERA, BENNINGHOFF, HOHENSTEIN,  
PIELLI, GUZMAN, CONKLIN, VITALI, HOWARD, SANCHEZ, GUENST AND  
REICHARD, APRIL 15, 2025

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REFERRED TO COMMITTEE ON ENVIRONMENTAL AND NATURAL RESOURCE  
PROTECTION, APRIL 15, 2025

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A RESOLUTION

1 Designating the week of June 8 through 14, 2025, as "Chesapeake  
2 Bay Awareness Week" in Pennsylvania.

3 WHEREAS, The Chesapeake Bay is the largest and most  
4 productive estuary in the United States, with its watershed  
5 spanning six states and the District of Columbia; and

6 WHEREAS, The Chesapeake Bay is fed by 50 major tributaries,  
7 the largest being the Susquehanna River, which provides 50% of  
8 the fresh water to the bay; and

9 WHEREAS, The Chesapeake Bay's tributaries in this  
10 Commonwealth are an important source of drinking water and  
11 recreational fishing and boating for this Commonwealth; and

12 WHEREAS, The Chesapeake Bay watershed covers 64,000 square  
13 miles, which encompasses half of this Commonwealth; and

14 WHEREAS, The Chesapeake Bay watershed is an extraordinary and  
15 vital natural resource, with some of the nation's most  
16 productive farm and forest lands in this Commonwealth's portion  
17 of the watershed; and

1       WHEREAS, The Chesapeake Bay supports 348 species of finfish,  
2 173 species of shellfish and more than 3,600 species of plant  
3 and animal life, including 2,700 types of plants and more than  
4 16 species of underwater grasses; and

5       WHEREAS, The Chesapeake Bay produces more than 500 million  
6 pounds of seafood harvest each year; and

7       WHEREAS, This productivity supported the settlement and  
8 growth of our nation and is a vital resource for future  
9 generations; and

10       WHEREAS, The Chesapeake Bay area is home to more than 18  
11 million people, many of whom rely upon the bay for their  
12 livelihood and recreational activities; and

13       WHEREAS, The rich history, pivotal economic importance and  
14 astounding beauty of the Chesapeake Bay watershed never cease to  
15 amaze residents and visitors alike; and

16       WHEREAS, All residents of this Commonwealth are encouraged to  
17 commemorate "Chesapeake Bay Awareness Week" with events and  
18 educational programs designed to increase awareness of the  
19 importance of the Chesapeake Bay and its tributaries to this  
20 Commonwealth, the region and the United States; therefore be it

21       RESOLVED, That the House of Representatives designate the  
22 week of June 8 through 14, 2025, as "Chesapeake Bay Awareness  
23 Week" in Pennsylvania.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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|                   |  |                            |   |
|-------------------|--|----------------------------|---|
| <b>Bill No:</b>   | HR0192 PN1377                                  | <b>Prepared By:</b>        | Andrew McMenamin<br>(717) 783-4043,6941 |
| <b>Committee:</b> | Environmental & Natural<br>Resource Protection | <b>Executive Director:</b> | Evan Franzese                           |
| <b>Sponsor:</b>   | Hill-Evans, Carol                              |                            |   |
| <b>Date:</b>      | 4/24/2025                                      |                            |   |

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### **A. Brief Concept**

Designates the week of June 8 through 14, 2025, as "Chesapeake Bay Awareness Week"

### **C. Analysis of the Bill**

HR 192 designates the week of June 8 through 14, 2025, as "Chesapeake Bay Awareness Week" in Pennsylvania.

#### **Effective Date:**

Immediately

### **G. Relevant Existing Laws**

N/A

### **E. Prior Session** (Previous Bill Numbers & House/Senate Votes)

HR 192 was previously introduced as HR 429 by Former Rep. Sturla during the 2023-2024 Legislative Session.

HR 429 was referred to the House Tourism and Economic and Recreational Development Committee on May 7, 2024

HR 429 was reported as committed (25-0) on May 21, 2024.

HR 429 was adopted by the House (199-3) on June 5, 2024.

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**Pennsylvania  
Resources  
Council**

A Pennsylvania where nothing is wasted

May 2, 2025

**Subject: Support for House Bill 1233 re: Battery Producer Stewardship Program**

Dear Representative,

Pennsylvania Resources Council (PRC) is a statewide environmental nonprofit with a vision of a Pennsylvania where nothing is wasted. On behalf of the PRC, I am writing to express support for House Bill 1233; PN 1370 which has been reintroduced after it passed the House of Representatives with bipartisan support last session. This bill aims to establish a Battery Producer Stewardship Program in Pennsylvania which is crucial to ensure the safe handling and end-of-life management of used batteries. The Solid Waste Association of North America (SWANA), Pennsylvania Waste Industries Association (PWIA), and International Association of Fire Chiefs (IAFC) are some of the other organizations that have stated the urgent need to address the fire hazards posed by unsafe disposal of batteries.

Under the Bill, battery producers would be required to develop and implement a statewide program to provide for proper collection, transportation, and recycling of used batteries. Battery producers are already responsible for similar stewardship programs in other states.

Batteries not collected properly for disposal pose a substantial risk for fires, especially in waste collection vehicles, landfills, and recycling centers. Lithium-ion batteries cause thermal runaway explosions and fires, which release flammable and toxic gases and are particularly difficult to control. Firefighters and other first responders are subject to this increasing danger. These fires threaten community safety, strain local emergency response resources, and have significant negative financial impacts on municipalities and businesses in Pennsylvania.

We at PRC urge you to support HB 1233 to establish a Battery Producer Stewardship Program. By doing so, we can enhance safety, protect our environment, and create a simple and convenient way for residents to responsibly dispose of batteries.

Thank you for your consideration.

Sincerely,

Sarah Alessio Shea  
Deputy Director  
Pennsylvania Resources Council  
[saraha@prc.org](mailto:saraha@prc.org)



The Honorable Greg Vitali  
Chairman, Environmental & Natural Resource Protection Committee  
Pennsylvania House of Representatives  
Harrisburg, PA 17120

Dear Chairman Vitali and Committee Members:

On behalf of the Pennsylvania Waste Industries Association (PWIA), which represents the private sector companies that collect and process recyclables and manage the disposal of municipal solid waste throughout the Commonwealth, I am writing to **strongly urge your support for House Bill 1233**.

Pennsylvania has a growing and dangerous problem. **Fast-moving, high-temperature fires caused by improperly discarded lithium-ion batteries** are becoming alarmingly common. These are not rare or minor events. Fires now occur **every week** at recycling and waste facilities across the state. They have destroyed trucks, burned buildings, and put our workers, first responders, and the public at significant risk.

**The danger is accelerating.**

Lithium-ion batteries, commonly found in laptops, cell phones, e-cigarettes, cordless tools, lawn equipment, and e-bikes, are highly combustible when damaged, punctured, or exposed to heat. Unfortunately, many Pennsylvanians unknowingly dispose of these batteries in curbside trash or recycling bins. Once inside the waste stream, these batteries become ticking time bombs.

We are already seeing the consequences. From York to Allentown, facilities have experienced destructive fires. Workers and firefighters are being placed in harm's way. Damages now reach into the **tens of millions of dollars**, and **insurance premiums are skyrocketing** across the industry.

**HB 1233 is a practical, proven solution.**

This legislation would establish a **Battery Stewardship Program**, shifting responsibility to manufacturers to safely manage the end-of-life disposal of lithium-ion batteries.

Specifically, the bill:

- Requires manufacturers to fund and implement a statewide collection and recycling program.

- Provides free, convenient drop-off opportunities for consumers.
- Mandates a public education campaign to inform consumers about proper battery disposal and the risks of mismanagement.
- Aligns with similar successful programs already in place in other states as well as Canada and Europe.
- Protects workers and first responders by reducing fire incidents caused by improperly discarded batteries.
- Provides oversight and enforcement of the program.

**This is a public safety imperative. We urge you to act now.**

Without action, the risks will continue to grow as the use of rechargeable devices increases. HB 1233 represents a **common-sense, cost-effective, and immediate path forward** that protects lives, property, and the environment.

We respectfully urge you and your colleagues on the Committee to vote **yes** on HB 1233 and help us prevent the next battery-related fire before it starts.

Sincerely,  
Mary Keenan  
Executive Director  
Pennsylvania Waste Industries Association  
[www.pawasteindustries.org](http://www.pawasteindustries.org)



May 2, 2025

Dear Honorable Members of the House Environmental & Natural Resource Protection Committee:

**RE: Please Oppose HB 1233 – Stewardship for Lithium-Ion Batteries**

The Recycled Materials Association (ReMA), Mid-Atlantic and Pittsburgh Chapters, which encompasses all of Pennsylvania, oppose House Bill 2241 as currently drafted. **The recycling industry is a vital economic force in Pennsylvania, generating a total economic impact of \$7.12 billion, 26,000 jobs, \$2 billion in wages, and \$800 million in taxes.** This substantial contribution underlines the crucial role our sector plays not only in driving local economies but also in managing supply chains of critical minerals and other valuable recyclable materials.

House Bill 2241 would create a statewide stewardship program for the collection of Lithium-ion batteries. ReMA recognizes that Lithium-ion and other rechargeable batteries have become part of everyday life; they're in our phones, laptops, watches, headphones, small appliances used around the house and other wearable and personal electronics. **Given this reality, ReMA supports the safe and responsible disposal of lithium-ion batteries, which is best accomplished through proper recycling with the Commonwealth's existing industry partners.** These volatile batteries end up in recycling facilities and in the waste stream, causing fires. All batteries and battery-containing products require specialized electronics, automotive, and/or battery recyclers to properly disconnect, transport, and prepare the batteries for reuse, repurposing, or recycling. **If the intent of this bill is to effectively recycle lithium-ion batteries and remove them from the waste stream, ReMA respectfully asks the legislature to consider amending the bill to do the following:**

- **Allow for Independent Collection and Management of Batteries by Recyclers**

- The bill currently restricts collection to stewardship organizations, which are entities that solely focus on collection, rather than recycling. There should not be any restrictions on independent collection by recyclers, as long as it is recorded and reported, and batteries are responsibly managed according to law.
  - Limiting stewardship organizations exclusively to nonprofits can hinder competition, stifle innovation, and reduce the overall effectiveness of Pennsylvania's battery recycling efforts. Allowing both for-profit and nonprofit entities to form stewardship organizations helps draw on a broader range of expertise, funding opportunities, and operational models—ultimately strengthening the recycling ecosystem. By diversifying the types of organizations eligible to oversee end-of-life battery management, the state ensures it does not rely too heavily on a narrow pool of organizations, increasing resilience and improving long-term outcomes for consumers, recyclers, and the environment alike.
-



- **Permit Options for Covered Battery Formats**

- To ensure the proper handling and recycling of these batteries, the legislation should consider the fact that collection, packaging, transport, and processing of small and medium format varies. Collectors should not be required to handle formats they are not properly trained and equipped to handle.
- Medium-format lithium-ion batteries — increasingly used in electrified lawn equipment, outdoor power tools, and electric micromobility devices such as e-bikes and e-scooters — are distinct from small-format batteries in both market profile and handling requirements. Grouping them together under a single collection mandate risks discouraging manufacturers from bringing innovative, cleaner products to the market, limiting consumer access to more sustainable options and undermining the state’s environmental and electrification goals.

- **Remove the Mandatory Material Forfeiture Provision**

- In its current form, the bill would require independent battery recyclers to forfeit materials collected through their own operations to a Battery Stewardship Organization.
  - Page 37, Lines 14 – 16  
*“(2) The individual or entity must make available all batteries collected from customers within this Commonwealth to the battery stewardship organization.”*
- Independent recyclers should retain the right to the batteries they collect, and any forfeiture provision should not be considered in this legislation.

In light of global competition, particularly from overseas, our suggestions outlined above encourages partnerships between stewardship organizations and specialized recyclers for materials collected, something metal and electronic recyclers are already doing. An inclusive stewardship model that incorporates direct recycling initiatives by actual recyclers can serve as a benchmark for innovative environmental governance and work in tandem with the proposed EPR approach. **By integrating our suggestions into HB 1233, Pennsylvania can lead in creating a progressive, effective, and consumer-friendly battery recycling model that other states might emulate.**

We urge legislators to amend HB 1233 to include these crucial enhancements, thereby aligning the bill more closely with the realities of modern end-of-life battery management, evolving recycling technologies, and collection approaches.

We appreciate your attention to this matter and thank you for your continued support of our industry and offer our services and expertise as this bill continues through the legislative process.

Sincerely,

**Jason Brenner**  
Mid-Atlantic Chapter President  
[jason@brennerrecycling.com](mailto:jason@brennerrecycling.com)

**Jay Lenick**  
Pittsburgh Chapter President  
[jlenick@lenickcompany.com](mailto:jlenick@lenickcompany.com)



