



May 5, 2017

Senator Tony Avella
New York State Senate
Legislative Office Building, Room 902
Albany, NY 12247

RE: Support for S1448 - Product Stewardship for Primary Batteries

Dear Senator Avella:

On behalf of the Board of Directors of the New York State Product Stewardship Council, we are writing to indicate our strong support for the intent of S1448 to establish a state-wide, primary battery product stewardship program in New York, managed and funded by manufacturers.

The New York legislature and the Department of Environmental Conservation already have experience passing and implementing three extended producer responsibility (EPR) laws that diverted from disposal approximately 275,000 pounds of rechargeable batteries and 5,857 mercury thermostats in 2016, and over 400 million pounds of electronic waste since 2011. These laws provide lessons learned that the state can use to obtain even more benefits from passing this primary battery stewardship bill. Furthermore, this bill has the potential to divert an estimated **seven million pounds of primary batteries** from disposal annually, and recover a variety of materials that can and should be recycled.

Many of our local programs participate in the Call2Recycle® program for rechargeable household batteries. Unfortunately, a similar program does not operate to collect single use batteries, which are ubiquitous in the waste stream and contain valuable material such as steel, manganese, and zinc that must be mined through energy intensive processes if the batteries are not collected and recycled. In addition, consumers rarely distinguish between single-use and rechargeable batteries, which is why the Call2Recycle® program for rechargeable batteries ends up collecting many single-use batteries from manufacturers that do not contribute toward their recycling costs. These “free riders” place a financial burden on those rechargeable battery firms that *are* funding battery recycling. Bill S1448 places an equitable responsibility on these single-use battery companies to ensure that batteries are recycled, and that funding for battery recycling is sustainable.

Please let us know if you have questions, or if we can assist in any way. Thank you for your consideration and continued strong leadership on this important issue.

Respectfully,

New York Product Stewardship Council
Product Stewardship Institute