



From: The New York Product Stewardship Council
Date: April 12, 2010
Re: Rechargeable Battery Legislation (S.3593-B)
Position: Support

The New York Product Stewardship Council (NYPSC) believes that the enactment of well crafted and workable rechargeable battery take-back legislation during this legislative session is critically important. This legislation represents an important step for New York State by advancing true product stewardship, shifting primary responsibility for management at the end of a product's useful life from local taxpayers (or solid waste system ratepayers) to manufacturers. This shift in responsibility ultimately results in product design changes that reduce toxicity and enhance future reuse and recycling.

Several of the NYPSC's position points regarding this legislation are set forth below:

- **The NYPSC supports the ban on disposal of rechargeable batteries as solid waste.** Rechargeable batteries contain heavy metals which are harmful to the environment and human health if released through landfills or incinerators. Market data indicate that approximately over 3.8 million pounds of rechargeable batteries reach the end of their useful life each year in the State of New York. These batteries should be recycled, so that materials are captured for re-use and toxic heavy metals are not released to the environment.
- **The NYPSC supports the requirement that retailers and manufacturers selling rechargeable batteries provide for collection, transport, and recycling.** Convenience is a key driver to the success of any recycling program, and providing wide-spread collection opportunities at retail locations will meet the public's need for a disposal option without burdening local government agencies. Retailers can use Call2Recycle's convenient "box" program at no cost, thereby internalizing the cost of safely managing the product into the product price, not placing it on taxpayers.
- **The NYPSC recommends amending this legislation to include clear performance goals.** Performance goals hold manufacturers accountable, and without them the State cannot ensure that the intended environmental benefits are being achieved. Program performance should be measured based on a recycling rate, with aggressive targets.
- **The NYPSC encourages the Assembly to consider future legislation that would expand the scope of this program** to include all types of household batteries.

We urge your support for this important product stewardship legislation.