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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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April 6, 2021

The Honorable Thomas J. Umberg, Chair
Senate Judiciary Committee
State Capitol, Room 2187
Sacramento, CA 95814

Dear Senator Umberg:

**SUPPORT – SENATE BILL 289 (EGGMAN) AS AMENDED ON MARCH 7, 2021 –
RECYCLING: BATTERIES AND BATTERY-EMBEDDED PRODUCTS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) is pleased to **support** Senate Bill 289 (SB 289), as amended on March 7, 2021. If enacted, the proposed legislation would establish a proper collection mechanism to reduce incidents of fires and illegal dumping of unwanted batteries, increases recycling, and substantially reduce local government costs for the end-of-life management of discarded batteries and battery-embedded products.

The proposed legislation, if enacted, would make the Rechargeable Battery Recycling Act of 2006 and the Cell Phone Recycling Act of 2004 inoperative as of June 30, 2025, and would repeal those acts as of January 1, 2026. The bill would enact the Battery and Battery-Embedded Product Recycling and Fire Risk Reduction Act of 2021, which would require producers, to either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for their batteries and battery-embedded products. The bill would require a stewardship organization or producer to submit to the California Department of Resources Recycling and Recovery (CalRecycle) a stewardship plan for the collection, transportation, and recycling, and the safe and proper management, of batteries or battery-embedded products in the state. The plan would include specified elements, including a collection system for batteries and battery-embedded products with a specified minimum distribution of collection sites and a funding mechanism to provide sufficient funding for implementation of the plan.

SB 289 would require a stewardship organization or producer to annually be audited and submit a report and budget to CalRecycle and would require a stewardship organization, producer, manufacturer, distributor, retailer, importer, recycler, or collection site to, among other things, provide relevant records necessary to determine compliance.

The bill would require a stewardship organization or producer to quarterly reimburse CalRecycle and any other relevant state agency for their respective reasonable regulatory costs that are directly related to implementation and enforcement. The bill would require CalRecycle and each state agency to deposit moneys into the Battery and Battery-Embedded Product Recycling Fund (Fund), which the bill would establish, and would authorize CalRecycle and any other relevant state agency to expend those moneys, upon appropriation by the Legislature, to administer and enforce the stewardship program.

The bill would provide for enforcement of its provisions and impose an administrative civil penalty on a stewardship organization, producer, manufacturer, distributor, retailer, importer, recycler, or collection site in violation of the bill not to exceed \$10,000 per day, unless the violation is intentional, knowing, or reckless, then in that case not to exceed \$50,000 per day. SB 289 would require CalRecycle to deposit moneys into the Battery and Battery-Embedded Product Recycling Penalty Account, which the bill would establish in the Fund, and would require CalRecycle to expend those moneys, upon appropriation by the Legislature, to administer and enforce the stewardship program.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

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Based on the foregoing, the Task Force strongly **Supports** SB 289. If you have any questions, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor, City of Rosemead

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cc: Assembly Member Berman
Assembly Member Mullin
Senator Becker
Senator Newman
Each Member and staff of the Senate Judiciary Committee
California State Association of Counties
League of California Cities – Los Angeles County Division
Each Member of the Los Angeles County Board of Supervisors
Fesia A. Davenport, Los Angeles County Chief Executive Officer
Gateway Cities Council of Governments
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each City Recycling Coordinator in the County of Los Angeles
Each Member of the Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force