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May 2, 2016

The Honorable Lorena S. Gonzalez, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Dear Assembly Gonzalez:

**ASSEMBLY BILL 2153 (AMENDED APRIL 14, 2016)
LEAD-ACID BATTERY RECOVERY AND RECYCLING ACT: SUPPORT AND
AMEND**

The Los Angeles County Integrated Waste Management Committee/Task Force (Task Force) is pleased to **support** Assembly Bill 2153 (AB 2153) which would, among other things, require lead-acid battery manufacturers to develop, implement, and administer a lead-acid battery recycling program for recycling used lead-acid batteries in the state that includes goals and elements to be approved by the Department of Resources Recycling and Recovery (CalRecycle).

The Task Force finds it unfortunate that it took a health and safety crisis as critical as the Excide battery recycling facility disaster to hold lead-acid battery manufacturers responsible for cradle-to-grave stewardship of their products. There is no telling how much harm this incident has brought upon the facility's surrounding residents and environment. While the Task Force is pleased with this draft of AB 2153, it believes it can be strengthened and recommends consideration of the following amendments.

Declarations and Definitions:

- 42420 (a)... and cost-effective program to protect public health while sustainably and safely recover and recycle lead-acid batteries generated in this state.

Comment: *The bill should highlight citizens' health and safety as a chief concern for the program, should be included somewhere in the declarations portion.*

- 42421 (l) "Recycling charge" or "charge" means the charge imposed on the sale of a new lead-acid battery at the point of sale and collected by the recycling organization to fund the recycling of used lead-acid batteries pursuant to this

chapter as well for the cleanup of lead-acid battery sites, including but not limited to, transfer, storage, recycling, treatment and disposal facilities pursuant to this chapter.

Comment: *We suggest the definition of the charge to reflect that a portion of this charge would be partly used for cleanup activities as well.*

Lead-Acid Battery Recycling Plan

- 42422 (a) (1) On or before July 1, 2017, a qualified industry association shall establish a lead-acid battery recycling organization for purposes of this chapter, which shall be composed of manufacturers, recyclers, environmental justice organizations, and retailers and be certified pursuant to this section to develop, implement, and administer the lead-acid battery recycling program established pursuant to this chapter.

Comment: *The definition of the “lead-acid battery recycling organization” includes environmental justice organizations as part of the organization. This section should be consistent with the definition.*

- 42422.6 (b): If the department disapproves the plan pursuant to subdivision (a), the department shall explain, in writing, how the plan does not comply with this chapter, and the lead-acid battery recycling organization shall resubmit a plan to the department.

Comment: *Consider specifying a timeline for resubmittal of the revised plan to CalRecycle after the initial plan disapproval.*

Lead-Acid Battery Recycling

- 42426. (a) On or before July 1, 2020, and annually thereafter, a person that is engaged in business as a recycler shall submit a report to the department that includes the following:
 - (1) The number of lead-acid batteries with California permanent recycling mark received and recycled in the state by the recycler at each of its facilities during the preceding calendar year.

Comment: *Individual recyclers would not have information for the number of batteries recycled Statewide. Should be clarified to require recyclers to only report on indicate their own recycling activities.*

As stated above, the Task Force believes this is a very good start to a very important bill. With refinement, this bill will stand to further protect the health and safety of residents and the environment from another Excide-like disaster. Additionally, we feel

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recycling stickers have a short life expediency and thus the need to use permanent marks.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), 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, 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, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Based on the foregoing, the Task Force **supports** AB 2153 and respectively suggest amending as indicated above. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at MikeMohajer@yahoo.com or (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 Christina Garcia
Each Member of the Assembly Appropriations Committee
Committee Chief Consultant, Carol Mortensen
California State Association of Counties
League of California Cities, Los Angeles County Division
Each Member of the County of Los Angeles Board of Supervisors
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Los Angeles County Department of Public Health
Each Member of the Los Angeles County Integrated Waste Management Task Force