



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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November 25, 2025

The Honorable Ronald Mariano
Speaker of the House
Massachusetts House of Representatives
State House, Room 356
Boston, MA 02133

The Honorable Karen Spilka
Senate President
Massachusetts Senate
State House, Room 332
Boston, MA 02133

The Honorable Christine Barber
House Chair, Joint Committee on Environment
and Natural Resources
State House, Room 167
Boston, MA 02133

The Honorable Becca Rausch
Senate Chair, Joint Committee on Environment
and Natural Resources
State House, Room 215
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The Extended Producer Responsibility Commission was established pursuant to Section 108 of Chapter 239 of the Acts of 2024 (the Act) to recommend to the General Court extended producer responsibility (EPR) policies for the Commonwealth. The Act further provides that the policy recommendations “shall include, but not be limited to: (i) recommendations on specific and other strategies for product and packaging categories including, but not limited to, paint, mattresses, electronics, lithium-ion batteries, plastics and other packaging.”

The Act also provides that

Not later than January 15, 2026, the commission shall issue initial recommendations and related findings to the senate and house committees on ways and means, the joint committee on environment and natural resources, the joint committee on telecommunications, utilities and energy and the clerks of the senate and house of representatives. The department of environmental protection shall publish said recommendations and related findings on its [website](#).

The Commission has held six meetings to date: on April 14, 2025; May 21, 2025; June 18, 2025; July 16, 2025; September 17, 2025, and October 29, 2025. At the July 16 meeting, the Commission was presented with information relating to EPR approaches for batteries. At the October 29 meeting, the Commission voted unanimously to recommend Massachusetts enact an extended producer responsibility program for small to medium format household batteries, including lithium-ion batteries. This letter reflects that recommendation.

Background

Although the Commission was charged with making recommendations for lithium-ion batteries in particular, current battery EPR programs in other states focus on small- to medium-size batteries typically generated in a household. This includes a variety of everyday use batteries, including lithium batteries. Lithium batteries are generally safe, but damage from improper use, storage, or charging may cause them to fail.¹ Common waste management processes, which include machines that crush waste, can damage lithium-ion batteries and ignite fires in waste vehicles and at waste facilities.

At its July 16 meeting, State Fire Marshall Jon Davine reported to the Extended Producer Responsibility Commission on the rising number of fires in trash disposal vehicles and at transfer stations that some experts believe are driven by large numbers of improperly discarded batteries.² This is supported by a recent report from the National Waste & Recycling Association (NWRA) and Resource Recycling Systems (RRS) conducted in 2023 that estimates more than 5,000 fires occur annually at recycling facilities alone, which indicates an average of 18 fires per facility each year.³

In Massachusetts, local governments, businesses, and consumers pay for battery recycling. Municipalities collect lithium-ion and other household batteries at household hazardous waste facilities, drop-off centers, and special events, supported by taxpayer dollars, user fees, and/or grants from the Massachusetts Department of Environmental Protection (MassDEP).⁴ According to MassDEP data, 269 municipalities report collecting lithium-ion batteries (268 report collecting other household batteries). Based on 2024 data reported to MassDEP, only 56% of residents have year-round access to municipal battery recycling services, and 17% have no municipal program.

In addition to the municipal programs, [Beyond the Bin](#) lists another 68 battery collection locations in Massachusetts.⁵ Consumers in Massachusetts also have limited access to collection services from organizations such as Call2Recycle, which offers collection sites and mail-in options for rechargeable and single-use batteries using their recycling boxes.⁶

1 U.S. Department of Labor, Occupational Safety and Health Administration, "Preventing Fire and/or Explosion Injury from Small and Wearable Lithium Battery Powered Devices," Safety and Health Information Bulletin, January 18, 2019, 2, accessed November 5, 2025, from <https://www.osha.gov/sites/default/files/publications/shib011819.pdf>.

2 EPR Commission minutes July 16, 2025.

3 Michael R. Timpane, "Metrics on the Lithium-based Battery Threat to U.S. Single Stream Material Recovery Facilities ('MRFs') Summary Opinion," Resource Recycling Systems (RRS), September 28, 2023, 11, accessed November 5, 2025, from <https://resource-recycling.com/recycling/wp-content/uploads/sites/3/2024/01/RRS-Lithium-battery-opinion-final-2.pdf>.

4 The Massachusetts Department of Environmental Protection CY2024 Recycling and Solid Waste Survey results use the categories of household batteries and lithium batteries. Household batteries is understood to mean all batteries used at home. Lithium batteries is understood to mean any battery chemistry that uses lithium. Accessed July 8m 2025, from <https://www.mass.gov/lists/recyclingsolid-waste-data-for-massachusetts-cities-towns>.

5 Data from RecycleSmart, Beyond the Bin, accessed August 6, 2025 from <https://recyclesmartma.org/beyond-the-bin-search/>.

6 Call2Recycle, "Store," accessed August 6, 2025, from <https://www.call2recycle.org/store/?srsltid=AfmBOorLt-FqXT5zKMBEkdcl0zbLJNUzCJ7RE1f6nOMQKq6cEYnkdli>.

While the municipal and private collection services identified above are extremely valuable, an alternative approach is needed to promote more consistent and convenient battery recycling options—which would take more batteries out of the waste stream (where they can be dangerous, as illustrated in the fire data identified above) and save taxpayers money. An EPR program would bring financial benefits to Massachusetts municipalities and residents by shifting the responsibility for funding battery collection, transportation, and recycling from municipalities to battery producers. It is estimated that an EPR program in Massachusetts would translate to roughly \$3.9 million in spending by a producer responsibility organization (like Call2Recycle, which would implement a comprehensive diversion effort). In addition to safety improvements, such an approach includes more widespread awareness-building and expansion of convenient collection methodologies.⁷

Fourteen states and the District of Columbia have passed Battery EPR laws as of July 2025. An additional five states have pending legislation, including Massachusetts. The Rechargeable Battery Association (PRBA), the industry association that represents large battery manufacturers in the U.S., has a model EPR bill and supports the concept.

EPR Commission Recommendation

The Commission recommends that the Massachusetts Legislature enact legislation to establish an EPR program for small to medium format household batteries, including lithium-ion batteries. The Commission recommends the development and implementation of a program that aligns with the Rechargeable Battery Association model EPR legislation⁸ to the greatest extent possible.

The Commission acknowledges proposed battery EPR legislation under consideration before the Massachusetts legislature at the time of this recommendation—H.968 and S.556—but does not endorse any specific bill.

The Commission recommends consideration of the following:

- As movement on EPR for batteries in other states is rapidly evolving to address various issues such as management of damaged, defective, recalled (DDR) batteries, embedded batteries in products, and proper collection and management solutions, harmonization of state programs will serve states and industry.
- Impacts of any restriction on parties outside the EPR program from collecting batteries through existing infrastructures should be considered.

⁷ Figure derived from multiplying VT average household program cost \$1.40 by 2,800,984 households in Massachusetts. Data from U.S. Census Bureau, 2023 American Community Survey 1-Year Estimates, Massachusetts, accessed August 15, 2025, from <https://data.census.gov/profile/Massachusetts?g=040XX00US25>.

⁸ A link to this model legislation is not available, but the Commission can provide a copy if requested.

If you need additional information or have any questions pertaining to this recommendation, please feel free to contact Courtney Rainey at Courtney.rainey@mass.gov.

Sincerely,

John Beling, Chair
Extended Producer Responsibility Commission