



Commonwealth of Massachusetts

Extended Producer Responsibility Commission

MEETING 4

Wednesday, July 16, 2025 | 9:30 a.m. – 12:30 p.m.
100 Cambridge Street, 2nd floor conference room | Boston
and via Zoom

Housekeeping



Housekeeping: roll call

Member	Agency / organization
CHAIR: John Beling	Deputy Commissioner, Massachusetts Department of Environmental Protection
Rep. Christine Barber	House Chair, Joint Committee on Environment and Natural Resources Appointee, Massachusetts House of Representatives
Sen. Mike Barrett	Senate Chair, Joint Committee on Telecommunications, Energy, and Utilities
Sharon Byrne Kishida	Nominee, Senate Minority Leader
Leigh-Anne Cole	Executive Director, Community Action Works
Jose Delgado	Arise for Social Justice
Janet Domenitz	Executive Director, MassPIRG
Lew Dubuque	Vice President, Northeast Chapter, National Waste and Recycling Association
Magda Garncarz	Vice President of Government Affairs, Associated Industries of Massachusetts
Sarah Kalish	Executive Office of Economic Development
Kris Callahan	Director of Policy and Regulatory Affairs, Bureau of Climate and Environmental Health, Massachusetts Department of Public Health
David Melly	Legislative Director, Environmental League of Massachusetts
Conor O'Shaughnessy	Budget Director and Environmental Policy Analyst, Office of Representative Bradley Jones, House Minority Leader
Andrew Potter	Chair, Select Board, Town of West Stockbridge
Catherine Ratte	Director, Land Use and Environment Department, Pioneer Valley Planning Commission
Bill Rennie	Senior Vice President, Retailers Association of Massachusetts
Neil Rhein	Executive Director, Keep Massachusetts Beautiful
Waneta Trabert	Vice President, MassRecycle
Tracy Triplett	Senior Enforcement Counsel, Office of Attorney General Andrea Joy Campbell
Abbie Webb	Vice President of Sustainability, Casella Waste Management

Note: the DEP is still seeking an individual to fill one vacancy



Housekeeping: staff and consultants

Staff/consultant	Organization
Greg Cooper	Director, Hazardous and Solid Waste, Massachusetts Department of Environmental Protection
John Fischer	Deputy Director, Hazardous and Solid Waste, Massachusetts Department of Environmental Protection
Courtney Rainey	Deputy Chief of Staff and Director of Government Affairs, Massachusetts Department of Environmental Protection
Julie McNeill	Attorney, Bureau of Air and Waste, Massachusetts Department of Environmental Protection
Jennifer Haugh	Vice President of Planning, GreenerU
Madeline Rawson	Project Manager, Planning, GreenerU



Review of meeting goals and agenda

Wednesday, July 16, 2025
9:30 a.m. – 12:30 p.m.

Goals

- Roll call, approve agenda, and minutes
- Discuss mattress EPR recommendation
- Level set on past and present battery EPR efforts
- Hear ideas, concerns, support
- Identify and discuss support for proposed battery EPR recommendations

Agenda

- Roll call
- Approval of agenda and minutes
- Discussion on mattress EPR
- Presentation: overview of battery EPR
- Presentation: batteries in Mass
- Presentation: Fire Marshall
- Clarifying questions
- Discussion: proposed battery EPR recommendation
- Public input
- Next steps



Housekeeping

- Adopt July 16 meeting agenda
- Adopt June 18 meeting minutes

Mattress EPR policy discussion



Discussion on mattress EPR recommendation

The Commission recommends that the Massachusetts Legislature enact legislation on or before July 31, 2026, to establish an extended producer responsibility program for mattresses. The Commission recommends the development and implementation of a program that aligns with programs already in place in neighboring states (Connecticut and Rhode Island) to provide consistency across the region.

The Commission acknowledges proposed mattress EPR legislation under consideration before the Massachusetts legislature at the time of report publication—H.1023, H.3985, and S.614—but does not endorse any specific bill.

The Commission recommends consideration of the following questions:

1. Should the mattress fee should be a flat fee or a variable fee based on size of mattress or cost? Current EPR programs have a flat fee regardless of the size (twin, full, queen, king) or cost of the mattress.
2. Should the disposal cost of mattresses that cannot be collected and recycled through the program be included?
3. Should the fee be collected at the wholesale or retail level? In current mattress EPR programs, the fee is collected at the point of retail sale.
4. Should the EPR fee cover some form or partial cost of municipal curbside collection?

Presentations



Massachusetts Extended Producer Responsibility Commission - Batteries

July 16, 2025

PRBA – The Rechargeable Battery Association

**2050 M Street, NW
Washington, DC 20036**

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Agenda

- Brief Introduction to PRBA
- Goals and objectives
- US Battery EPR efforts
- PRBA model bill
 - Financing
 - How batteries are collected and recycled
- Performance in other states
- Metrics of success
- Transportation and Safety



PRBA

The Rechargeable Battery Association



Members

- Manufacturers
 - Batteries
 - Electronics
 - Power tools
 - Outdoor power equipment
 - Military equipment
 - Energy storage systems
 - Packaging
- Battery recyclers
- Test labs
- Consultants
- Airlines

Activities and Issues

- Regulatory
- Legislative
- Policy
- Safety
- Battery recycling
- Transportation
- Fire codes

Transportation Forums

- UN Sub-Committee of Experts
- ICAO Dangerous Goods Panel
- IMO Sub-Committee on Carriage of Cargoes and Containers



Goals and Objectives

- Establish an all-battery EPR program in Massachusetts
 - Small and medium format batteries
 - Harmonized with other state efforts
- Focal points
 - Safety
 - Convenience
 - State oversight

Notable Program Exceptions

- Recalled batteries
- Only non-consumer medical devices
- Free-liquid electrolyte batteries
- Lead acid > 11 lbs.
- Embedded batteries (for now)
- Motor vehicle batteries
- Large batteries (> 25 lb.)

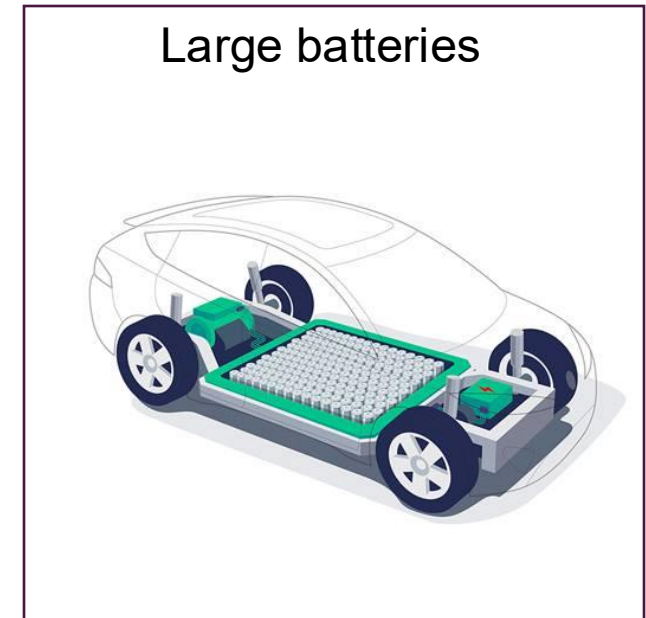


Consumer medical devices



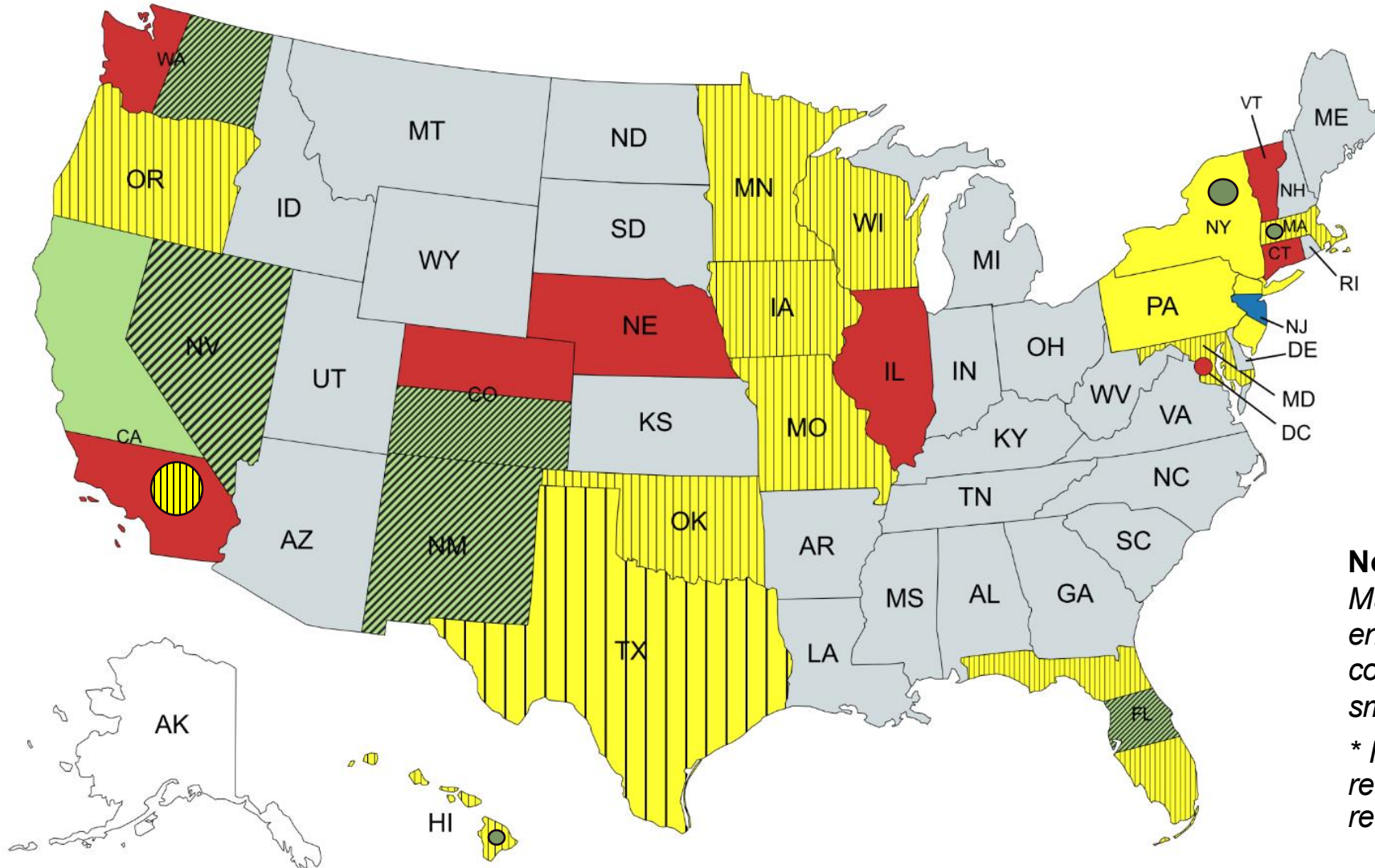
Overview of Batteries

- Come in all shapes and sizes (portable, medium, large)
- Rechargeable and non-rechargeable



State Portable and EV Battery EPR Initiatives

Updated July 7, 2025



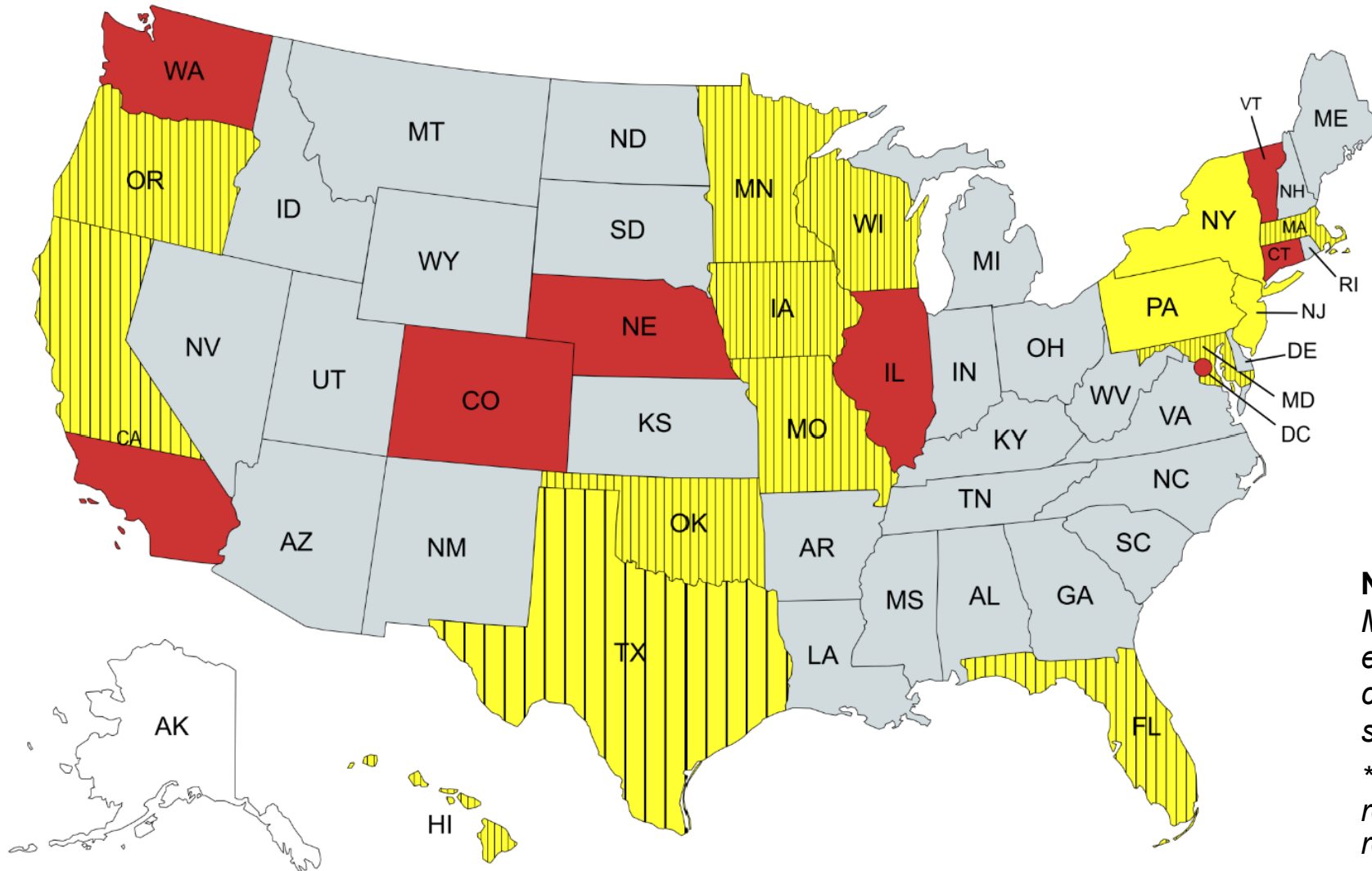
- Existing laws or recently enacted portable battery legislation*
- Recently enacted EV battery legislation
- Considering or has introduced EV battery legislation for 2025
- Likely not proceeding for 2025
- Considering or has introduced portable battery legislation for 2025*
- Likely not proceeding for 2025
- Voluntary rechargeable battery collections

Note: Iowa, Florida, Maryland, New Jersey, Maine, New Hampshire, and Connecticut enacted laws in the 1990s mandating collection of portable nickel cadmium and small sealed lead acid batteries.

* Minnesota and New York currently require the collection of portable rechargeable batteries.

State Portable Battery EPR Initiatives

Updated July 7, 2025



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US Federal Activity

EPA Timelines and Deliverables

- Voluntary Battery Labeling Guidelines
 - Timing: Late 2025 / early 2026
 - All battery types and sizes
 - Deliverables
 - Identify battery collection locations
 - Educate consumers about recycling opportunities
 - Reduce safety concerns from improper disposal
 - Set of written guidelines for various battery categories
 - Build on existing standards, emphasize good ideas and address inconsistencies
- National Framework
 - Timing: TBD
 - Deliverables
 - To create recommendations for national framework on battery EPR and report to Congress
 - The framework could also be used by states
 - Any decisions on federal EPR legislation would be at the discretion of Congress



EPA's Ongoing Battery-Related Projects

Separate but complementary requirements in the Infrastructure Investments and Jobs Act (IIJA):

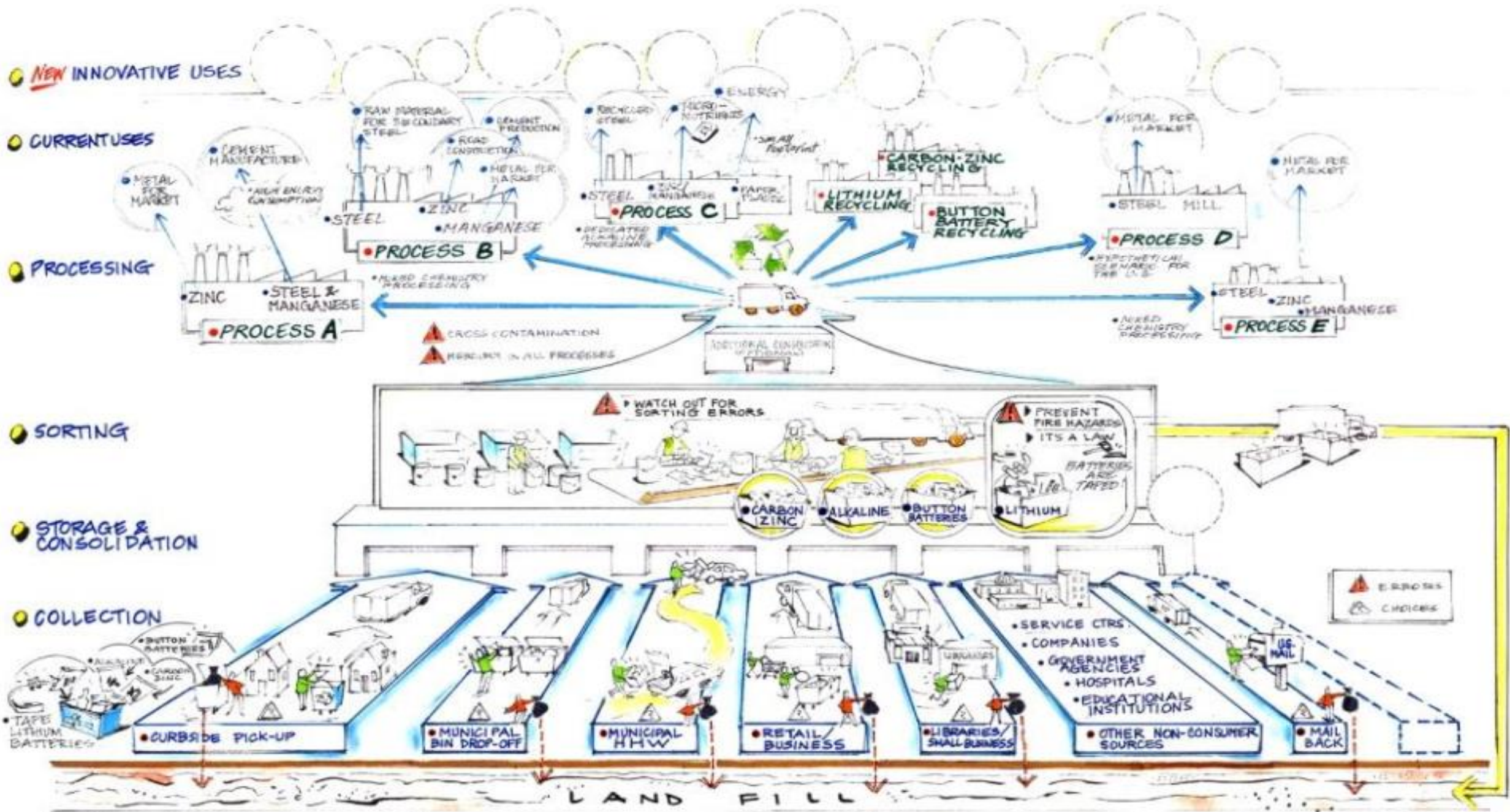


PRBA Model Bill Key Components

Portable / Medium Format Batteries



- State oversight
- True EPR – producer financed / no fee at point of sale / collection
- Stewardship organization
- Limited antitrust protection
- Right of private action
- Small battery labeling exceptions
- Where materials go
- Limited retailer obligation
- Education and training





How Batteries are Collected

- Municipal drop-off
 - Libraries
 - Fire stations
 - Government offices
- HHW collection
- Retail takeback (voluntary)
- Other businesses

How Batteries are Recycled



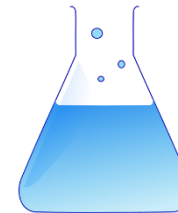
Collected spent batteries



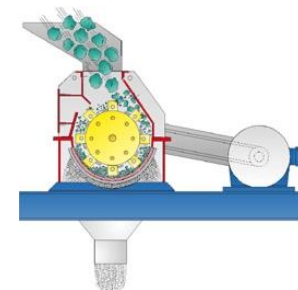
Sorting



Pyrometallurgical



Hydrometallurgical



Mechanical Separation



Usable Materials

Performance in Other States

- States have not yet started
- Plan due dates (chronologically):

State	Plan due	Law Begins	Retail sale prohibition
DC	In effect	In effect	In effect
Vermont	6/1/2025	1/1/2026	1/1/2027
Illinois	7/1/2025	1/1/2026	1/1/2026
Washington State	7/1/2026	1/1/2027	7/1/2027
Connecticut	7/1/2026	1/1/2027	1/1/2028
California*	12/1/2026	1/1/2028	1/1/2028
Nebraska	1/1/2027	1/1/2028	1/1/2028
Colorado	7/1/2027	8/1/2027	8/1/2027



Metrics of Success

- Safety (people, property, environment)
- Awareness
- Accessibility and convenience
- Downstream processing
 - Recycling efficiency rates
- Program harmonized with other states

Transportation and Safety



- Some chemistries regulated as dangerous goods (e.g. lithium)
- Considerations for:
 - Use
 - Terminal protection (short circuit)
 - Containment
 - Packaging and labeling
- Properly designed stewardship plan accounts for these considerations





Questions?

PRBA – The Rechargeable Battery Association

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Battery collection and recycling in Massachusetts

- 269 municipalities report collecting lithium batteries
 - (268 report collecting other household batteries)
- 337 battery collection locations are listed on Beyond the Bin
- Just one town (Bedford) reports collecting more than 1,600 pounds/year
- Damaged, defective and recalled (DDR) batteries are of particular concern, as they pose increased management burden and cost
- Lithium battery costs vary by vendor: \$0.99–5.50/lb
 - Costs are higher for DDR battery recycling plus additional supplies needed



Impacts of battery mismanagement

- Regulated as hazardous waste/universal waste
- Widespread fires at solid waste and recycling facilities, many due to lithium batteries:
 - Worker safety risks
 - Causing major facility damage
 - Causing extended facility down time, losing valuable management capacity for weeks or months
- MassDEP working with all facilities to install fire monitoring and suppression systems, but still face major risks

Presentation: Fire Marshall



Clarifying questions

- What questions do you have for the presenters?

Bio break: 10 minutes

Discussion



- Do you think the proposed PRBA program would work in Massachusetts?
- What are your concerns about the proposed approach?
- Does the Commission have other policy recommendations?
- Is there any information missing that requires further research?



Public comment

Thank you for your interest in participating in today's EPR Commission meeting.

Please state your name and affiliation clearly for the record and keep your comments succinct (under three minutes).

Written comments may be submitted through the EPR Commission website:
<https://www.mass.gov/info-details/extended-producer-responsibility-commission>

Action



Straw poll

—To support a recommendation to enact legislation to establish an extended producer responsibility law for batteries that aligns with the PRBA model.

SCALE OF AGREEMENT ADAPTED FROM KANER ET AL.				
1	2	3	4	5
WHOLE-HEARTEDLY AGREE	AGREEMENT WITH A MINOR POINT OF CONTENTION	SUPPORT WITH RESERVATION	MORE DISCUSSION NEEDED	SERIOUS DISAGREEMENT
"I really like it"	"Not perfect but it's pretty good"	"I could live with it"	"There are small concerns to discuss before I could support"	"I am not on board with this"
VOTE BELOW				



Next steps

- DEP/GreenerU to draft EPR background document on **batteries**
- Distribute **batteries** EPR background document prior to September meeting for review
- Discuss, revise, and finalize vote on **mattresses** and introduce **electronics EPR** at September meeting
- Discuss, revise, and finalize vote on **batteries** and introduce **plastics and packaging EPR** at October meeting
- Advisory board on **plastics and packaging** to meet Thursday, July 24, 10 a.m. to noon
- Advisory board on **electronics** to meet again on Monday, June 28, 1–3 p.m.



Next meeting and adjourn

Next meeting:

ELECTRONICS

Wednesday, September 17, 2025

9:30 a.m. to 12:30 p.m.

Agenda, Zoom link, and reading materials will be available at least one week prior to the meeting.