

RCW 70A.555.060 Stewardship program components—Funding. (1)

Each battery stewardship organization must ensure adequate funding is available to fully implement approved battery stewardship plans, including the implementation of aspects of the plan addressing:

- (a) Battery collection, transporting, and processing;
- (b) Education and outreach;
- (c) Program evaluation; and
- (d) Payment of the administrative fees to the department under

RCW 70A.555.100.

(2) A battery stewardship organization implementing a battery stewardship plan on behalf of producers must develop, and continually improve over the years of program implementation, a system to collect charges from participating producers to cover the costs of plan implementation in an environmentally sound and socially just manner that encourages the use of design attributes that reduce the environmental impacts of covered batteries, such as through the use of eco-modulated fees. Examples of fee structures that meet the requirements of this subsection include using eco-modulated fees to:

- (a) Encourage designs intended to facilitate reuse and recycling;
- (b) Encourage the use of recycled content;
- (c) Discourage the use of problematic materials that increase system costs of managing covered batteries; and
- (d) Encourage other design attributes that reduce the environmental impacts of covered batteries.

(3) (a) Except for costs incurred by a local government or local government facility exercising the authority specified in RCW 70A.555.070(4)(c), each battery stewardship organization is responsible for all costs of participating covered battery collection, transportation, processing, education, administration, agency reimbursement, recycling, and end-of-life management in accordance with the battery management hierarchy and environmentally sound management practices.

(b) Each battery stewardship organization must meet the collection goals as specified in RCW 70A.555.040.

(c) A battery stewardship organization is not authorized to reduce or cease collection, education and outreach, or other activities implemented under an approved plan based on achievement of program performance goals.

(4) (a) Except for costs incurred by a local government or local government facility exercising the authority granted by RCW 70A.555.070(4)(c), a battery stewardship organization must reimburse local governments for demonstrable costs, as defined by rules adopted by the department, incurred as a result of a local government facility or solid waste handling facility serving as a collection site for a program including, but not limited to, associated labor costs and other costs associated with accessibility and collection site standards such as storage.

(b) Except as to the costs of containers and other materials and services requirements addressed by a local government or local government facility exercising the authority granted by RCW 70A.555.070(4)(c), a battery stewardship organization shall at a minimum provide collection sites with appropriate containers for covered batteries subject to its program, training, signage, safety guidance, and educational materials, at no cost to the collection sites.

(c) A battery stewardship organization must include in its battery stewardship plan a template of the service agreement and any other forms, contracts, or other documents for use in distribution of reimbursements. The service agreement template must be developed with local government input. The entities seeking or receiving reimbursement from the battery stewardship organization are not required to use the template agreement included in the program plan and are not limited to the terms of the template agreement included in the program plan. [2023 c 434 s 7.]