



April 12, 2013

Representative Jules Bailey, Chairman  
Oregon House Energy and Environment Committee  
900 Court Street NE, H-274  
Salem, OR 97301

Re: House Bill 2938-3

Dear Chairman Bailey:

I am chairman of the Board of Directors of PRBA – The Rechargeable Battery Association. I am writing in support of House Bill 2938-3, which would level the playing field for those who collect and recycle rechargeable batteries.

Our association was founded in 1991 to address the stewardship of used rechargeable batteries produced by the burgeoning consumer electronics industry. Our association's members include manufacturers of the vast majority of portable rechargeable cells and batteries produced in the world today, leading manufacturers of consumer, medical and defense products that incorporate those batteries, companies developing and manufacturing the batteries that will bring to market a new generation of hybrid and plug-in electric vehicles, and companies involved in research, development, distribution and sales of batteries and battery-containing products. PRBA's members range from some of the largest corporations in the world to manufacturers and distributors who are small businesses located in Oregon. Examples of our members are Sony, Apple, General Motors, Dell, Hewlett Packard, Duracell and Energizer.

We have led industry's response to statutes around the country in states like Minnesota, Florida, New Jersey and Iowa. To make stewardship work – and despite the fact that only a handful of states currently have any laws requiring manufacturers to take back used rechargeable batteries – several of our members incorporated the not-for-profit rechargeable battery recycling program now known as Call2Recycle<sup>®</sup> and began collection of batteries in all fifty states almost 19 years ago. A few years later, they expanded that organization's activities to Canada. PRBA remains the trade association for these companies and is independent of Call2Recycle<sup>®</sup>.

This bill is not intended to create a new product stewardship scheme or bureaucracy. Quite the contrary, there already is a well-established multi-party program, and several smaller, company-specific programs. The bill thus does not seek any additional state oversight, rules or regulations. Nor is it intended in any way to harm those who have committed to taking back and properly disposing these batteries. There are no requirements to collect batteries and

it does not impose any new burdens on organizations already paying for the end of life disposal of batteries. But increasingly, those companies that have been good citizens, care about the environment and support product stewardship efforts have been subsidizing dozens of companies, many of them foreign that are not responsibly managing their products. Up to 40% of what is collected can be attributed to companies that simply are not paying for their products' disposal. Companies who have stepped forward and acted responsibly – like mine, Panasonic – have to foot this bill.

Rechargeable battery stewards have contributed over \$200 million into collecting and recycling rechargeable batteries since the creation of the voluntary Call2Recycle<sup>®</sup> program. Passage of this bill would respond to our request to help us continue this effort by providing Call2Recycle<sup>®</sup>, and others who are stepping forward as responsible stewards, a very limited means to recoup costs of collections for those who do not participate in a *bona fide* collection program.

On behalf of PRBA, I strongly urge passage of HB 2938-3.

Thank you for consideration of our position.

Sincerely,



Charles P. Monahan