

Testimony of Rep. Karen Ebel
Merrimack District 7

NH House Committee on Environment and Agriculture
HB 1602—Establishment of Safe Battery Recycling Stewardship Program

I am pleased to introduce HB 1602 in my capacity as the Chair of the New Hampshire [Solid Waste Working Group](#). The SWWG is a statewide stakeholder group representing the many public and private entities involved with solid waste management in New Hampshire. The SWWG 2025 [Interim Report](#) reflects the Working Group membership and summarizes our work for the past year. It is the job of the SWWG to identify key state solid waste management issues and seek ways to find solutions through careful analysis. Safe battery disposal and recycling is a top priority. The SWWG concluded that legislation creating a producer stewardship program is the best approach and HB 1602 is that legislation. It is common-sense bill that is completely bipartisan. It has broad stakeholder support, bringing together the solid waste industry, municipalities, the Business and Industry Association, environmental groups and our citizens.

Lithium-ion Battery Disposal Ban. Effective July 1, 2025, there is a disposal ban on lithium-ion batteries in New Hampshire. This committee supported that SWWG-initiated legislation unanimously after hearing compelling testimony. The ban's necessity stems directly from the fire hazards these batteries present when disposed of improperly. That ban was a much-needed first step. Providing a simple pathway to recycling comes next. We know there have been fires right here in this state, including in [Lee](#). These fires endanger the lives of our municipal staff and cause extensive property damage. Recently, DES and our [State Fire Marshal](#) worked together to promote battery fire safety following Governor Kelly Ayotte's related [proclamation](#). Battery fires are also of grave concern to New Hampshire's [Association of Fire Chiefs](#). Clearly, fire safety is an enormous issue that needs an effective solution. If battery producers want to take responsibility for lithium and other commonly used batteries to recycle them, we certainly should create a legislative pathway for them to do so.

Battery Stewardship Program. This bipartisan bill would create a battery stewardship program that tracks the prototype used in other states by battery manufacturers and battery stewardship organizations (BSO). It was adapted for the Granite State. It is supported by the battery manufacturing industry as

represented by the Portable Rechargeable Battery Association ([PRBA](#)). The nation's leading battery recycling collection program, [The Battery Network](#) (TBN—formerly Call2Recycle) has provided testimony for the committee today. In the past three years, they have collected over 50 tons of batteries in New Hampshire. Their network is already well-established here and upon the filing of a battery stewardship plan, the transition would be fairly straightforward. The committee may find TBN's approved [battery stewardship plan](#) for the state of Vermont instructive. While TBN operates nationally, as well as in Canada with its partner, HB 1602 allows for multiple BSOs.

Many consumers already bring their lithium and other batteries to municipalities for disposal. Our towns bear much responsibility and expense being on the front lines in handling these challenging products. This program increases safety and eliminates the cost to taxpayers. Additionally, retailers can voluntarily participate act as collection sites, providing a service to their customers and to help build foot traffic. A BSO would provide a proper receptacle and pick up the batteries for recycling for free. Some retailers already do this, but have to pay for service.

Anyone can bring their removable batteries in for recycling when the program is operational, either to participating retailers or to municipalities using BSO collection systems, whether or not one bought it before the beginning of the program. By maximizing convenience for battery users, it encourages more safe recycling and better program performance.

Once stewardship programs are in place, battery manufacturers include the cost of additional recycling in their production costs, along with all their other manufacturing costs. In fact, they already do so because of other operational state programs. They produce millions of batteries of all types, so these costs are widely disseminated nationally already, if not internationally. State-specific costs are shared across the industry. Canada and Europe already have similar programs and many companies sell their products there. In fact, if NH does not participate in a program such as this, consumers buying batteries pay included recycling costs with no benefit. Why would we not participate?

As indicated in the fiscal note, HB 1602 is written to entirely defray any oversight expenses by DES, which are very minimal, about \$50,000. DES participated in the developing the language for the bill, which reflects their technical advice on the

structure and implementation plan. DES is very involved in proper management of lithium-ion and other batteries. A program such as this will make their challenging job easier. You can find more about their efforts [here](#).

This program involves *no* tax or state-imposed fee. It is a self-funded, business-driven program. The [Tax Foundation](#) defines a tax as “a mandatory payment or charge collected by local, state, and national governments from individuals or businesses to cover the costs of general government services, goods, and activities.” No money goes to the state, except to reimburse its expenses. Any assertion that this bill creates a tax or state fee is incorrect and reflect a misunderstanding of the bill’s thoughtful structure. Unfortunately, other SWWG-supported, stewardship legislation has suffered from last minute mischaracterization as a tax. This mischaracterization is to the detriment of our citizens, costing property tax dollars that could have been saved.

Supports State Solid Waste Goals. In 2022, DES adopted a new [Solid Waste Management Plan](#) to help guide the state through its solid waste management issues and challenges over the next several years. HB 1602 supports Management Plan goals: toxic waste diversion, recycling promotion and preservation of landfill capacity. Making it easier to recycle batteries will also help minimize improper dumping. We must do what we can to remove toxics from our landfills. Landfilled waste sits in landfills virtually forever. As batteries erode over time, they leach out toxic chemicals. Much can end up in leachate that requires expensive waste water treatment, another property tax cost.

Industry and Business Supported. We all benefit when we can help our citizens appropriately handle these products and recycle them. PRBA agrees. It works closely with BSOs in the development of recycling programs. A representative of PRBA is here with us today and he can take you through the specifics of the proposed recycling program. As noted previously, I worked closely with the PRBA in the development of HB 1602, which it supports. Adoption of model legislation such as this helps ensure uniformity for manufacturers and BSOs, promotes efficiency saving money, maximizes recycling of valuable minerals and supports an economy that increasingly relies on valuable substances, such as lithium.

Proper handling of lithium batteries is of vital interest to the solid waste industry and to our municipalities as they face multiple fires. People have died.

Many retailers of all sizes, not infrequently small businesses, are generally pleased to participate in take-back programs because as consumers return batteries, it builds additional foot traffic for their stores. Their participation is entirely voluntary.

Benefits Municipalities. HB 1602 will also benefit our towns and should save taxpayer dollars. In the past, organizations, such as TBN, have provided take-back boxes for free, now they charge for the service. This increases costs for municipalities, which goes straight back to our property taxpayers.

Simultaneously, batteries are heavy. They weigh as much when you throw them away as when you buy them. This affects the tipping fees that municipalities and businesses pay. Once this program is operational, battery collection will be free.

Ensures Recycling, not Landfilling. We need to increase our recycling of batteries. Too many are ending up in our landfills. The state recently adopted solid waste diversion goals. Our current statutory [goal](#) is to divert 25% in weight from our landfills and waste-to-energy plants. The most effective way to achieve this goal is to offer consumers easier recycling options, like HB 1602. We need to conserve our landfill space for the disposal of hazardous and hard-to-manage waste that we have no other choice but to landfill. Batteries can and should be recycled. In a state that is wrestling with landfill issues, diverting what we can makes common sense.

Broad Coalition Support. HB 1602 has a great deal of support from a wide coalition of entities, including businesses, nonprofits, trade associations and municipalities. Representatives of many of those entities have provided letters of support and/or are here today testify today: the BIA, PRBA, the National Waste Recycling Association, Waste Management, Casella, the NH Municipal Association, the NH Association of Fire Chiefs, a consortium of statewide environmental groups, including the Society for the Protection of NH Forests, the Conservation Law Foundation, The Nature Conservancy, the Appalachian Mountain Club and the Audubon Society, among others. Establishing an organized collection system for this difficult to manage waste is crucial for our state.

I urge the committee to support this bipartisan, carefully crafted, broadly supported bipartisan bill.

January 20, 2026