

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 1477

STATE OF NEW JERSEY

DATED: OCTOBER 28, 1996

The Senate Environment Committee reports favorably Senate Bill No. 1477.

The "Dry Cell Battery Management Act," P.L.1991, c.521 provides for the management of used dry cell batteries in this State to reduce the amount of toxic metals entering the solid waste stream. Section 6 of the law prohibits the sale of any rechargeable consumer product after July 1, 1993 "unless rechargeable battery is readily removable from the product; or the rechargeable battery is contained in a battery pack which is separate from the product and the battery pack is readily removable from the product."

This bill would exempt any dry cell battery used as a backup power source solely for memory or program instruction storage, timekeeping, or any similar purpose that requires uninterrupted electrical power in order to operate if the primary energy supply fails or fluctuates momentarily. This type of backup battery is an integral feature in such electronic equipment as facsimile machines, lap-top and desk-top computers, cash registers, microwave ovens, dishwashers, and stoves.

Significant safety considerations arise from using alternative technologies or redesigning products to make backup batteries "readily removable" due to the size and functional role of the batteries. In addition, the amount of cadmium from backup batteries that may enter the municipal solid waste stream in New Jersey is de minimis. Many of the products that contain these backup batteries do not normally enter the municipal solid waste stream at the end of the product life cycle. In fact, the Department of Environmental Protection is in the process of establishing a "demanufacturing" pilot program under which these products would be removed from the waste stream for environmentally safe recycling and disposal.

Finally, a recently enacted federal law, the "Mercury-Containing and Rechargeable Battery Management Act," exempts backup batteries from provisions similar to the State law.