

# Promoting Responsible End-of-Life Management of Electric Vehicle Batteries

## Colorado Senate Bill 26-003

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Hazardous Materials and Waste Management Division



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# Legislative Intent

## Primary Goal:

**Manage end-of-life electric vehicle (EV) propulsion batteries responsibly at no cost to consumers.**

## Factors:

### Climate Goals:

Supports Colorado's goal to eliminate greenhouse gas emissions by 2050 by promoting responsible use of EVs.

### Fire Safety:

Mitigating fire risks and hazards associated with improper storage and disposal of propulsion batteries.

### Market Demands:

As more EV batteries are retired a responsible end of life management method is necessary to minimize waste with potentially hazardous constituents.

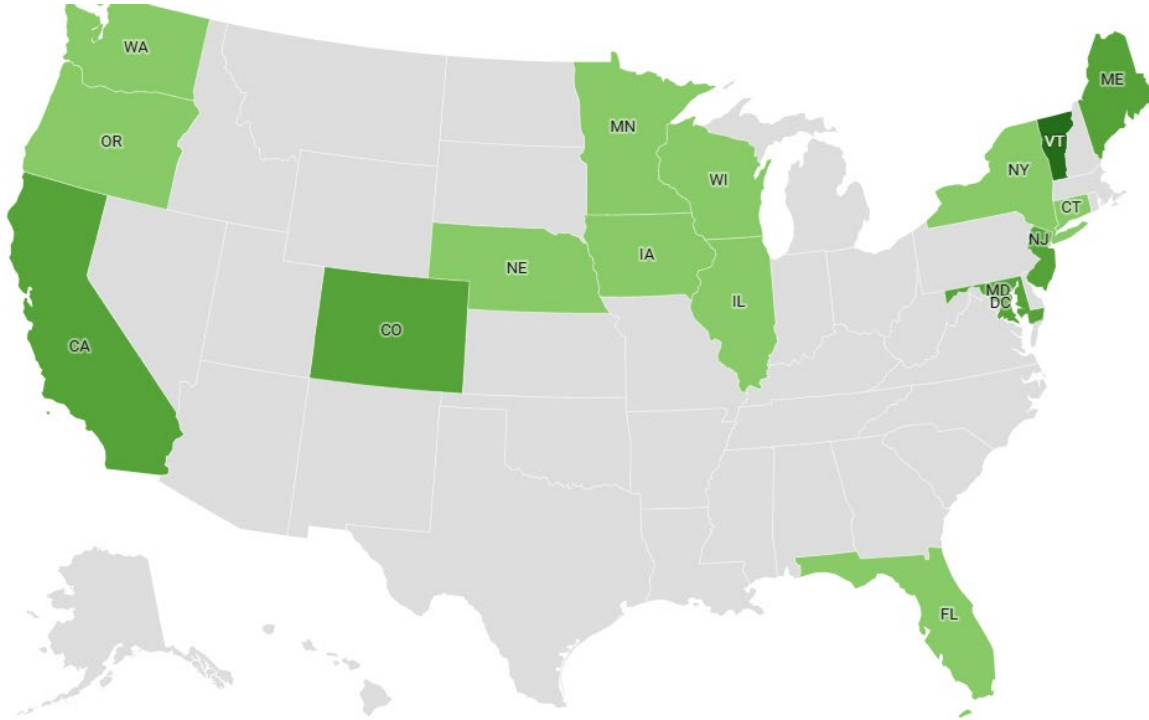
### Circular Economy:

Capturing value through reuse, repurposing, remanufacturing, and recycling of propulsion batteries and critical minerals.



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# States with Battery Stewardship Laws



2022 CA

2023 WA

2024 IL, NJ, VT

2025 CT, CO, NE

2026 CO, OR, ME, WI

(EV batteries)

State Battery EPR Laws

1 2 3

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# Challenges with EV batteries



*Photo Credit: South Metro Fire Rescue*



- Damaged EV batteries, which can result from an auto accidents, improper charging and natural disaster events are costly and challenging to manage for end of life disposal.
- EV batteries are subject to hazardous waste requirements when reuse or recycling isn't feasible.



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# Scope and Key Terms

## Propulsion Battery

- A battery used primarily to supply power to propel an EV
- Includes plug-in hybrid or hybrid vehicle batteries

## Propulsion Battery Provider

- The entity responsible for batteries that first sells the battery or vehicle into Colorado
- vehicle manufacturer or brand owner

## Secondary Handler

- Entities take possession or removes batteries from vehicles
- Includes commercial entities, recyclers, scrap yards, solid waste facilities

## Unwanted Battery

- Propulsion battery that is no longer wanted by the owner
- Includes damaged and those impacted by thermal runaway



# EV Battery Provider Requirements

## Registration:

Vehicle manufacturers must register with the department and pay program fees for oversight.

## Education & Outreach Plan:

Submit a plan to CDPHE detailing:

- Public education and outreach strategy for secondary handlers
- How secondary handlers can notify them of unwanted batteries
- Process to notify a battery needs collection
- How to access emergency response guides for first responders and secondary handlers

## Battery Collection:

- Must fund and facilitate the collection of unwanted propulsion batteries within 60 days.
- Ensure responsible management following the battery management hierarchy.
- No point of sale fees are allowed to fund the cost of the program.



# EV Battery Labeling Requirements

By July 1, 2029, all propulsion batteries must be labeled.

## Required Labeling Information

- **Provider Details:** Provider name and date of the battery.
- **Technical Specs:** Battery chemistry and rated capacity or energy.
- **Safety & Compliance:** Hazardous substance info and safety/recall instructions.

## QR Code Option

Providers may use QR codes to link to data repositories containing this information.



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# The EV Battery Management Hierarchy

## Management Hierarchy

Prioritization of unwanted batteries must follow this order:

- 1 Reuse:** In a vehicle other than original.
- 2 Repurpose:** For energy storage or non-vehicle use.
- 3 Remanufacture:** Return to same-as-new condition.
- 4 Recycle:** Critical mineral recovery/refining.

Must

## State of Health

### Certified Range

- Calculated from 0 to 100 of useable battery energy.

### Data Requirements

- Must provide state-of-health data for vehicles model year 2028 and later.



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# Secondary Handler Requirements

## Registration

Must register with the department before an unwanted battery is collected (10 or more).

## Management

Must follow responsible management practices, including proper storage (covered areas, away from flammables).

## Notification

Must contact the appropriate provider or remanufacturer to initiate collection of unwanted batteries.

## Safety

Maintain records for three years and ensure compliance with shipping and safety training.



# Reporting & Mineral Recovery Targets

## Annual Reporting:

Providers and remanufacturers must report data including collection numbers, battery chemistry, and recycler identification.

## Recovery Targets for Recyclers:

**By 2031**

**90% Cobalt**

**90% Nickel**

**50% Lithium**

**By 2035**

**90% Cobalt**

**90% Nickel**

**80% Lithium**



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# Important Compliance Dates

- **July 1, 2027**  
Deadline for propulsion battery providers to register and pay initial fee.
- **Jan 2, 2029**  
Deadline to submit an education and outreach plan.
- **July 1, 2029**  
Providers cannot sell into CO unless the education plan is submitted; following labeling requirements; collection, and safety requirements are active.
- **June 1, 2030**  
First annual reports due from providers and remanufacturers on collection and recycling.



# Prohibitions & Enforcement

## Landfill Ban

As of July 1, 2029, disposal of propulsion batteries at solid waste disposal sites and facilities is prohibited statewide.

## Responsibility

Ensures all batteries have an identified pathway for responsible management through the provider.

## Oversight

CDPHE will oversee battery management compliance, compile annual reports on recycling data and conduct surveys and assess program effectiveness to ensure compliance.

- Existing oversight under the Colorado hazardous waste regulations (secondary handlers)
- Additional provisions with administration of this Act (battery providers)

**Construct:** Colorado's EV bill varies from a traditional Extended Producer Responsibility model for comparison with New Jersey's EV EPR bill.



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# Summary of Colorado SB 26-003

- EV batteries are crucial for reducing GHG emissions
- As more EV vehicles are sold, more end of life EV batteries will require responsible end of life management
- Batteries are energy intensive to produce, contain hazardous constituents and if mismanaged could reduce environmental impacts
- Batteries contain critical minerals and have the potential for reuse, repurposing and recycling
- Manufacturers and brand owners can create sustainable supply chains, reduce environmental impacts and establish convenient and cost effective recycling programs for consumers through product stewardship of EV batteries



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# Thank you!

Questions?

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