

MOTION BY SUPERVISORS HILDA L. SOLIS AND SHEILA KUEHL

February 19, 2019

**Support for AB 142 - Lead-Acid Battery Fees**

County-supported AB 2153 (Chapter 666, Statutes of 2016) established the Lead-Acid Battery Recycling Act of 2016 and created a State-mandated \$1 fee for consumers purchasing a lead-acid battery and a \$1 manufacturer fee for each lead-acid battery sold in California through March 2022. After that date, the manufacturer fee will sunset and the consumer fee will increase to \$2.

The fees established by AB 2153 are deposited into the Lead-Acid Battery Cleanup Fund (Fund) and, upon appropriation by the Legislature, are used to fund the investigation and cleanup of areas of the State reasonably suspected of being contaminated by the operation of lead-acid battery recycling facilities. In addition, money from the Fund may also be appropriated to repay loans from the General Fund for the investigation and cleanup of the communities surrounding the now-shuttered Exide Battery Recycling Facility in the City of Vernon.

AB 142 (C. Garcia) would make changes to the Lead-Acid Battery Recycling Act

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by increasing the fee on lead-acid manufacturers and importers from \$1 to \$2 and removing the manufacturer fee sunset date. The bill would also require that any clean-up undertaken pursuant to AB 2153 be fully funded prior to repayment of the \$176.6 million General Fund loan to the California Department of Toxic Substances Control (DTSC) for clean-up of the Exide community; authorize out-of-state manufacturers to pay the fee on behalf of a lead-acid battery importer (through written agreement); and relieve a purchaser of a lead-acid battery from liability for a manufacturer's battery fee; among other provisions.

According to the Centers for Disease Control and Prevention, no safe blood lead level has been identified for children. Moreover, exposure to lead can pose serious health consequences, including asthma, kidney and brain damage, and developmental and behavioral disorders in young children. The clean-up of residential parcels or other sites contaminated with lead can range into hundreds of millions of dollars. The Lead-Acid Battery Fund provides a much-needed and ongoing funding source for these clean-ups, and the law should be fully applied so that lead-acid battery manufacturers pay their fair share.

**WE, THEREFORE, MOVE** that the Board of Supervisors direct the Chief Executive Officer and the Sacramento Advocates to support AB 142, which would expand the existing Lead-Acid Battery Recycling Act of 2016 and provide ongoing revenue for the cleanup of sites contaminated by lead.

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