# California's Battery Stewardship Rule Is Product Governance, Not a Recycling Program

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Many companies read California's coming battery stewardship rule as a recycling obligation for battery makers. That reading is too narrow, and the error carries a price. Because batteries now travel through ordinary consumer and commercial channels, often embedded in electronics, tools, appliances, and mobility products, the operative question is not whether a company manufactures batteries. It is whether the company places a covered battery, or a product that contains one, into the California market. A business that misreads its role inherits funding, reporting, and safety duties it never priced into its supplier agreements.

The rulemaking has entered its decisive phase. CalRecycle held an informal public workshop on June 16, 2026, on proposed permanent regulations implementing the Responsible Battery Recycling Act of 2022, and it accepted written comments on the revised text through June 30, 2026. That informal window has now closed. CalRecycle's next step is a formal notice of proposed rulemaking before the Office of Administrative Law, which opens the formal comment period that precedes adoption. The statute, codified at Public Resources Code sections 42420 through 42428, requires producers, individually or through stewardship organizations, to develop, fund, and implement programs to collect and recycle covered batteries.

This article separates four issues that determine exposure: scope, producer identification, the overlap with California Senate Bill (SB) 1215, and contract and data controls.

## Read the Program Broadly

California is building this battery stewardship program on a documented fire-risk record, and that record changes what the rule will demand. CalRecycle states that batteries are the leading cause of fires at California waste facilities, that an estimated 7,294 tons of batteries reached California landfills in 2021, and that Californians use roughly 822 million batteries each year. A single lithium-ion cell crushed in a compactor can ignite, destroy equipment, injure workers, and idle operations. A rule aimed only at recycling would focus on collection rates. A rule aimed also at fire prevention will require controls for storage, transportation, consumer education, and coordination with local governments and waste operators. Companies should evaluate the proposed regulations as both an extended producer responsibility rule and a risk-management rule, because the safety obligations will reach businesses that never handle a loose cell.

## Producer Identification Is the Hard Question

Producer responsibility often falls on a party other than the physical manufacturer, and that gap makes compliance difficult. The statute defines "producer" through a hierarchy under Public Resources Code section 42420.1(j) that may implicate the manufacturer, the brand owner, the licensee of the brand, or the importer, depending on how the battery reaches the market. Consider a national retailer that sells, under its house brand, a cordless power tool built around a removable cell. An overseas plant makes the cell, an unrelated party imports the finished tool, and the retailer sells it both in stores and through its online marketplace. Walk that chain through the hierarchy, and the most likely producer is the retailer that owns the brand, not the manufacturer it assumed bore the duty, and not the importer it expected to absorb the obligation by contract. Producer status determines who funds the program, who reports chemistry and product data, who signs stewardship agreements, and who faces enforcement. A company that discovers its status too late inherits duties it never negotiated.

## SB 1215 Creates a Separate Overlap

The overlap with SB 1215 belongs at the center of the analysis, not the margin. That law added covered battery-embedded products to California's Covered Electronic Waste Recycling Program beginning January 1, 2026. CalRecycle states that consumers began paying a recycling fee on covered battery-embedded products on January 1, 2026, and that the program began accepting payment claims on April 1, 2026. A single product can fall under either regime depending on whether a consumer can remove the battery with common household tools. The two programs carry different fee structures, different responsible parties, and different effective dates. A business that treats “battery regulation” as a single obligation will misclassify products and misallocate costs. Battery regulation is therefore product governance, and the classification work belongs at both the design and procurement stage.

## Fix Contracts and Data Now

The classification, producer, and data questions converge on one instruction: review the contracts and the data before CalRecycle finalizes the rule. Two terms matter most. The contract should fix producer responsibility on the party the statutory hierarchy identifies, sparing the company duties it never negotiated. It should also secure the chemistry, removability, and sales data the company needs to classify products across both the Responsible Battery Recycling Act and SB 1215. The remaining terms — covering labeling, stewardship participation, audit rights, indemnity, and cost allocation — guard against later disputes, but those two determine whether the company can comply at all.

Companies should take three steps now:

- Map every battery-containing product sold into California, recording its type, removability, brand owner, importer of record, and sales channel.
- Run each product through the producer hierarchy and confirm whether existing contracts assign the resulting duties to the correct party.
- Sort products between the two regimes and align fees, data, and labeling accordingly.

The informal record is nearly closed, and the formal rulemaking will move on CalRecycle’s schedule rather than the company’s. The business that maps its products, fixes producer responsibility, and secures its data now will shape its compliance position. The business that waits will absorb one.

If your company needs help determining whether its products are covered, evaluating overlap with SB 1215, or updating contracts and data controls before California's battery stewardship regulations take effect, contact the author or any attorney with the firm's Environmental team.






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