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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To support the recycling and recovery of lithium-ion batteries.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To support the recycling and recovery of lithium-ion
batteries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Battery Recycling for
5 America’s Competitive Economy Act” or the “BRACE
6 Act”.

7 **SEC. 2. END OF LIFE LITHIUM-ION BATTERY MANAGEMENT.**

8 (a) DEFINITIONS.—In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) DESTINATION FACILITY.—The term “des-
5 tination facility” has the meaning given such term
6 in section 273.9 of title 40, Code of Federal Regula-
7 tions (or any successor regulations).

8 (3) LITHIUM-ION BATTERY.—The term “lith-
9 ium-ion battery” means a rechargeable energy stor-
10 age device composed of one or more voltaic or gal-
11 vanic cells and varying chemistries utilizing lithium
12 ions.

13 (b) UNIVERSAL WASTE REGULATIONS FOR LITHIUM-
14 ION BATTERIES.—

15 (1) IN GENERAL.—Not later than one year
16 after the date of enactment of this section, the Ad-
17 ministrator shall issue a final rule to revise part 273
18 of title 40, Code of Federal Regulations, to establish
19 universal waste standards specially tailored for lith-
20 ium-ion batteries, separate from the existing general
21 battery universal waste category.

22 (2) STORAGE OF LITHIUM-ION BATTERIES AT
23 DESTINATION FACILITIES BEFORE RECYCLING.—The
24 rule issued under paragraph (1) shall—

1 (A) authorize a destination facility to store
2 lithium-ion batteries in accordance with accu-
3 mulation time limit requirements established by
4 the Administrator that are similar to what is
5 provided in section 273.15 or section 273.35 of
6 title 40, Code of Federal Regulations (or suc-
7 cessor regulations), before recycling such lith-
8 ium-ion batteries; and

9 (B) for purposes of determining which reg-
10 ulations a destination facility is required to
11 comply with, treat a destination facility that
12 stores lithium-ion batteries in accordance with
13 the accumulation time limit requirements estab-
14 lished under subparagraph (A) before recycling
15 such lithium-ion batteries as a destination facil-
16 ity described in section 273.60(b) of title 40,
17 Code of Federal Regulations (as in effect on the
18 date of enactment of this section).

19 **SEC. 3. TECHNICAL UPDATES TO THE MERCURY-CON-**
20 **TAINING AND RECHARGEABLE BATTERY**
21 **MANAGEMENT ACT.**

22 Section 104(a) of the Mercury-Containing and Re-
23 chargeable Battery Management Act (42 U.S.C.
24 14323(a)) is amended by striking “60 Fed. Reg. 25492
25 (May 11, 1995), as effective on May 11, 1995”, and in-

- 1 setting “part 273 of title 40, Code of Federal Regulations
- 2 (or any successor regulations)”.