

**FINAL**

The Commission to Advance Lithium-Ion Battery Safety in Maryland; SB532 /CH950

The Commission to Advance Lithium-Ion Battery Safety in MD Mtg

Thursday, June 5 · 10:00am – 12:00pm

In Person: Maryland Fire and Rescue Institute Headquarters

University of Maryland

4500 Campus Drive

College Park MD 20742

Google Meet joining info

Video call link: <https://meet.google.com/zxy-paqi-yeq>

Or dial: (US) +1 402-627-0246 PIN: 272 034 814#

Commission members attending the meeting in person were marked present as follows: **Chairman Emil Nusbaum, Michael Cox, Kitty McIlroy, and DeAndre Wilson.**

Commission members attending the meeting virtually were marked present as follows: **Marc Boolish, Ivan Browning, Garrett Fitzgerald, Christopher Neidhart, Ginny Rogers and Justin Short.**

Absent Commission Members: **Taiwo Alo, Vincent Baker, David Black, Kenneth Bush, Geoffrey Donahue Haley Kotzker, Chris Pilzer, Nicholas Rodricks, Tessa Sanchez, and Robert Whittlesey.**

Members of the public were in attendance.

Staff in attendance: **Penny Doty, MSP**

Presenters: No Presenters were scheduled to attend this meeting.

Roll call was completed by the Commission staff. Due to technical difficulties, the meeting was not called to order until 10:17 a.m. by Commission Chairman Emil Nusbaum. Chair Nusbaum announced that a quorum had not been reached as only 10 out of the total 20 Commissions are in attendance via in person or virtually. Therefore, the minutes from the May 8, 2025 meeting could be motioned for approval and will be tabled until the next meeting. The meeting commenced as a discussion and information meeting only with no recommendations proposed for finalization and no decisions enacted.

Chair Nusbaum reported on the status of the Commission's final report mission which includes the following:

- Fact finding – In the process of wrapping up the factfinding initiatives.
- Recommendations – Subcommittees continue in the development and layout stage.
- Timelines for Final Report – Timelines have been established and approved by the Commission which are as follows:
  - The individual Subcommittee's and the Subcommittee Leaders will meet prior to the next Commission meeting with the goal of completing the distribution of compiled facts and the draft recommendations layout document. The drafted document items will be presented to the Commission members at the next Commission meeting for further input/direction.

- End of September – Draft Report will be completed and presented to the full Commission at the October 2025 meeting.
- Subcommittees will continue to meet and work to accomplish the established deadlines.

After opening floor to members and participants for discussions and items of interest, Member Mark Boolish shared with the meeting attendees the latest map and updates of the State Portable and EV Battery EPR Initiatives Map (Map attached). Member Boolish's updates can be summarized as follows:

- Iowa, Florida, Maryland, New Jersey, Maine, New Hampshire, and Connecticut enacted laws in the 1990s mandating collection of portable nickel cadmium and small sealed lead acid batteries.
- Minnesota and New York currently required the collection of portable rechargeable batteries
- Washington jurisdictions, California jurisdictions, Nebraska, Vermont, Illinois and DC have existing or recently enacted portable battery legislation.
- NJ jurisdiction recently enacted EV battery legislation.
- California jurisdictions, New York jurisdiction and Massachusetts jurisdiction are considering or has introduced EV battery legislation for 2025.
- Washington jurisdictions, Nevada, Colorado jurisdiction, New Mexico and Florida jurisdiction will most likely not proceed with legislation for 2025.
- Oregon, Texas, Pennsylvania, New York, and New Jersey jurisdiction are considering or has introduced portable battery legislation for 2025.
- Colorado jurisdiction and Connecticut awaiting Governor's signature
- California jurisdiction, Minnesota, Wisconsin, Iowa, Missouri, Oklahoma, Massachusetts, Maryland, and Florida jurisdictions will likely not proceed for 2025.
- Montana, Idaho, Utah, Arizona, Wyoming, North Dakota, South Dakota, Kansas, Michigan, Indiana, Ohio, Kentucky, Tennessee, Arizona, Louisiana, West Virginia, Virginia, North Carolina, Mississippi, Alabama, Georgia, South Carolina, Delaware, New Hampshire, Rhode Island, and Maine have enacted voluntary rechargeable battery collections.

Member Kitty McLeroy provided updates to the Commission as well regarding Maryland legislative bill initiatives planned for 2026 which will include the development of a battery and electronics bills. The electronics bill is deemed just as relevant as the battery bill because electronic devices contain batteries, including rechargeable batteries. Model bills passed in other states will be studied and utilized in the language of the bills. An important component and challenge of the EPR bills is funding as fire safety technology in collection trucks and at recycling sites is extremely costly.

Expanding on the subject of electronics, the Commission discussed model recycling initiatives in other States and providences for the collection of vaping devices which contain rechargeable batteries. Call2Recycle Canada Battery Recycling and Collection Services launched a vaping collection program in the province of Quebec in January. The Commission members discussed maybe including that electronic component and other similar components in the Final Report recommendations after studying model bills produced by other States and jurisdictions. Unfortunately, vape devices also contain nicotine which is a hazardous material and would need to be handled by a different collector under a different contract, and not with the regular battery collection programs and recyclers. A subset would need to be created for this initiative most likely.

The Commission went on to discuss the exorbitant recycling costs associated with the larger format batteries (i.e., automotive-electric vehicles) that do not qualify as DDR. The cost can run anywhere from \$15 to \$1,800.00 a piece which is concerning and challenging, as pointed out by Maryland State agencies reporting that the initiatives drain their already tight budgets. Additionally, some automobile manufacturers are changing the technology component of batteries to LMR (Lithium Manganese-rich) or LFP (Lithium Iron Phosphate) in EV models which promises to offer a higher energy density and potentially longer range without

significantly increasing purchase cost, but increases recycling/dismantling costs and challenges. Industry established workgroups are still working on initiatives from the EV hybrid battery side for products that no longer have value and are at the end of life. Even though the collection process pathway is in place, the costs outweigh any value found left in the vehicle. It is important to conserve the critical minerals in those batteries supporting the stance that they shouldn't be discarded as there is only such much lithium in the world, but at the end of the day industry members are for-profit companies and if they can't sustain a profit then they will go out of business. The lack of industry recyclers will result in high inventory stock piles. There is also concern for EPR Programs whereby contracts are awarded to select recycling facilities putting non-contracted/smaller facilities out of business. Additionally, there have been instances whereby state goals are treated as targets and members essentially not receiving payment for materials once a goal in the State law was met. In Maryland, efforts for the electronic bills have included measures to ensure a free-market system to include the option of multiple certified PROs for consumers.

The Commission members discussed the fire safety risks of maritime transport of EV automobiles especially in light of Maryland's major shipping point, the Port of Baltimore, which serves as a main hub for the import and export of approximately one million automobiles a year annually. Recently, significant events have taken place at the Port and in shipping waterways. One particular recent event involved a shipment of EVs from Alaska to Mexico that caught fire. The crew was forced to abandon the vessel leaving the ship to continually burn in the middle of the Pacific. The Commission discussed how the area jurisdictions would handle such events. Member Cox reported that the response team for such an event would include a coordinated effort between the Baltimore City Fire Department, Baltimore County Fire Department, State agencies and the Coast Guard. Additionally, Member Cox reported the existence of a Shipboard Firefighting Training Program offered in the jurisdiction and Member Donohue serves as an instructor. Member Cox will confer with member Jeffrey Donahue, Director of the Maryland Department of Environment, Office of Emergency Preparedness & Response regarding the matter and possibly schedule the Coast Guard Commander from the local post to present to the Commission.

Member Cox discussed the latest lithium-ion battery fire safety extinguishing protocol regarding fire blankets. Testing research has found that the use of fire blankets contains the fire, but it also allows hydrogen gas to build underneath the blanket which causes the fire to flare. Firefighters can still utilize the fire blankets, but need to be aware of the added risk.

Penny Doty, Commission Administrative Specialist, provided the Commission an update regarding the status of the State's Adoption of the 2024 edition of the State Fire Prevention Code which includes updates from 2021, and 2024 editions of NFPA 1 and NFPA 101. Both editions of 2024 NFPA1 and NFPA 101 includes reference to 2023 NFPA 855. Ms. Doty reported that the Maryland State Fire Prevention Commission met in special session to discuss the issue further. After a series of intense discussions, the State Fire Prevention Commission unanimously voted to adopt the Code as published in the Maryland Register. Additionally, the Commission decided to pursue requirements to retrofit non-sprinklered residential high-rise buildings separately during future meetings. The new Code is anticipated to be effective before August 1, 2025.

The Commission members will be virtually polled after the meeting to determine the date of the next Commission meeting.

Chair Emil Nusbaum asked if there was any additional business the group members wished to address, and upon hearing none, the meeting was adjourned at 11:25 p.m.

These meeting minutes are respectfully submitted by Penny L. Doty.