

**FINAL**

Commission to Advance Lithium-Ion Battery Safety in Maryland Mtg (HB468-Ch 950)

Thursday, November 7 · 10:00am – 12:00pm

Google Meet joining info

Video call link: <https://meet.google.com/ymy-sqze-djy>

Or dial: (US) +1 262-843-5250 PIN: 401 668 942#

More phone numbers: <https://tel.meet/ymy-sqze-djy?pin=4889318681486>

The meeting was called to order by Commission Chairman Emil Nusbaum at 10:08 a.m.

Present in person were Commission members: Chairman Emil Nusbaum, Vincent Baker, David Black, Michael Cox, Geoffrey Donahue, Garrett Fitzgerald, Christopher Neidhart, Emil Nusbaum, Justin Short, DeAndre Wilson. Attending virtually, member Taiwo Alo, Ivan Browning, Haley Kotzker, Kitty Mclroy, Chris Pilzer, Shatorah Robertson, Nicholas Rodricks, Ginny Rogers and Robert Whittlesey. Absent Commission Members: Marc Boolish. Members of the public were in attendance. Staff in attendance: Ken Bush MSP and Penny Doty MSP (Virtually).

Roll call was completed by Commission staff. Staff confirmed there was a majority present. After which the newest member Justin Short, Manager of Government Affairs, Recycled Materials Association (ReMA), representative of the battery recycling trade group, introduced himself to the Commission members.

Chairman Nusbaum reviewed the meeting agenda and the minutes from the last meeting held on October 2, 2024. The minutes as presented were approved by all the Commission members for finalization with no objections raised.

Chairman Nusbaum reported that three of the four subcommittees (The Commission created the four subcommittees by proxy at the October 2, 2024 Commission Meeting to assist with mission goals) held their Kick-Off meetings with the leaders of the groups and members reporting the following:

1. Consumer and Transportation Applications Sub Committee – Leader Chris Baker

Chris Baker reported that the Subcommittee met on October 29, 2024 and explored several key topics, including the potential for categorizing batteries by capacity, creating quick reference guides, and using New York's regulations as a benchmark for micromobility devices. Also, discussed the value of aligning with established safety standards and certification bodies, such as Underwriters Laboratory. Prior to the next meeting which is scheduled for November 19, 2024, subcommittee members will conduct research on various micromobility devices, including e-bikes and e-scooters, and will present their findings at the next session.

2. Utility Applications, with Review and Consideration of the NFPA 855 Standards for Grid Scale Storage and Safety – Leader Haley Kotzker

Haley Kotzker reported that the Subcommittee met on October 31, 2024 and discussed possible framework and future studies of the group. Member Kotzker also reported that she circulated a survey to the subcommittee members after the initial meeting inquiring best dates for future meetings as well as suggestions for focus studies and research initiatives, and is awaiting all responses. Additionally, member Kotzker reported she is awaiting the Public Service Commission's rule making which is expected next week as it is relevant to this workgroup as the Public Service Commission has an entire section on proposing standards and safety regulations aligned with NFPA 855 for utility scale applications and battery storage systems. Once the information is available from PSC, Member Kotzker will share with the Subcommittee members for further evaluation. Lastly, Member Kotzker discussed inviting an Industry Professional to present to the Commission at a future meeting regarding the topic, including fire safety standards.

3. Prevent, Detect, and Suppress at Recycling Facilities – Leader Chris Pilzer

Kitty McIlroy reported that the Subcommittee discussed some laws that had recently passed in other States, especially in Illinois that would provide a good direction for the Subcommittee. Additionally, SWANA (the Solid Waste Association of North America) battery group is in commission at this moment working on initiatives/standards including lists of advanced technology/devices currently available to the industry which detect fires before they evolve into big events. Member McIlroy indicated that the resources are out there as it is a matter of collecting and compiling for further study by the Subcommittee.

Member Nusbaum reported that one of the big takeaways from the Subcommittee meeting was the need for a high level of prevention initiatives to include public education and awareness. On the industry side there is a need to differentiate what qualifies for the recycling stream vs. the solid waste industry and what lithium-ion battery recycling programs are out there or need to be out there for the public to easily access ensuring lithium-ion batteries are recycled and not placed in the solid waste stream. Discussions continued regarding the different types of recycling facilities including: regular recycling facilities, metal recycling facilities and automotive recycling which all present with specific needs and challenges. Barriers to residential recycling include the lack of clear access to collection sites to ensure batteries are disposed of in the recycling stream. However, increased recycling initiatives will raise the risk/chance of increased thermal events occurring at those sites which the implementation of detection systems will be imperative to reducing large scale fire incidents.

Additionally, Member Nusbaum reported that Member Chris Pilzer is in the process of possibly scheduling a facility tour for the Commission to attend at one of the Waste Management Facilities to assist the members with a better understanding of specific fire risks and what technologies are currently utilized for detection and suppression.

4. Reusing, Recycling and Decommissioning Lithium-Ion Batteries – Leader Emil Nusbaum

Due to scheduling issues and the work involved with the Commission and the other Subcommittees, this Subcommittee has not had a chance to meet, but will within the next few weeks. Chair Nusbaum

explained he is the leader of that Subcommittee and has already been at work planning the structure, format and resources of the Subcommittee and will present his ideas to the Subcommittee at the future meeting.

Emil Nusbaum wrapped up the Subcommittee status report informing the Commission that the four individual Subcommittees plan to meet once or twice a month in order to move forward with regards to compiling and formatting information/resources to bring back to the Commission. The Commission body will then be able to synthesize and package the information for presentation to the Governor's Office by December 1, 2025.

Emil Nusbaum reviewed the Policy Tracker spreadsheet with the Commission. The Policy Tracker tracks a lot of electric vehicle and battery related policies throughout the States and jurisdictions. Some of the policies on the Tracker do not relate to the mission of this group and lists policies that may not have passed legislative review, which may need to be eliminated. The Tracker will be reformatted and the relevant policies will be identified and Subcommittee assigned after extensive study as recommended by the Commission. Member Nusbaum will add new policies to the Tracker Policy list from Florida and New York and perhaps other jurisdictions related to laws requiring certifications and standards for lithium-ion powered micromobility devices. Additionally, Florida has established a workgroup studying proposed rules that include standards for handling crash damaged electric vehicle which would be useful to this group. Chairman Nusbaum and Member Justin Short will follow-up and report back to the Commission regarding the additions and reformatting of the Policy Tracker.

The Commission resumed discussions regarding the multi-faceted realm of policies and information available from other States and sources, and the challenges of retrieving only what is relevant to safety and the mission of the Commission. The Subcommittees will continue to identify and harness the relevant policies, studies, and information including existing established policies/standards adopted by NFPA, UL and the like for future packaging and final review by the Commission.

Emil Nusbaum reminded the Commission that an Interim Report is due to be compiled and submitted to the Governor by the Commission prior to December 1, 2024, reporting the progress of the Commission in regards to the mission set forth by the Maryland Legislators. The report will include the Commission Member Roster, the formation of the Subcommittees, the Commission Charter, workflow and updates. The Subcommittee Leaders will draft a brief summary of each Subcommittee's progress thus far as well as the work format/focus outlines. An impromptu virtual Commission Meeting will be held in the next few weeks and a survey will be circulated to the Commission Members to determine a convenient date and time for the meeting to discuss and finalize/approve the Interim Report.

Ivan Browning reported that the Battery Safety Demonstration Day in celebration of America Recycles Day will be held at the Shady Grove Transfer Station, 16101 Frederick Road, Derwood, MD 20855 in Montgomery County at approximately 9:15 a.m. located at the upper lot near the scrap metal recycling area. The demonstration will a small battery pack demonstration of what happens to a battery subsequent to incurred mechanical damage and how it is contained. Details of the Demonstration Day will be shared via email with the Commission members.

Member Chris Pilzer will work on setting up a tour at one of the solid waste facilities in his district for the Commission.

Ivan Browning further reported that current fire responder safety studies related to lithium-ion battery packs and EVs are being conducted by UL and in Chicago. Member Browning agreed to bring information back to the Commission regarding the results/recommendations from those studies.

The Commission discussed the need to retrieve and review current studies and recommendations that involve crash damaged or end of life EV vehicles in relation to fire rescuer safety and protocols, and salvage/recycling. Even though there are some policies out there, current/updated information is always beneficial and valuable.

The Commission members further discussed and shared fire scene and hazmat neutralization cell experiences involving damaged batteries as a result of crash and/or heat/fire events, and the challenges associated with the incidents. Discussions included talking points associated with battery cell ejections/thermal runaways from damaged packs involving the following: salvage yard storage, waste clean-up, secondary incidents, exporting/transportation packaging, etc.

The Commission members continued discussion regarding current code and challenges in dealing with EV chargers in residential dwellings and/or garages and how to protect the structure. Ken Bush reported the issues and challenges facing the matter are currently being tackled by fire safety councils with no complete/definitive answers available at this time.

Members Michael Cox and Vincent Baker are working in coordination with UL and University of Maryland to provide an informative presentation at the next Commission Meeting. The Subcommittee leaders and Chairman Nusbaum will work on scheduling industry presenters for future Commission meetings.

Commission members asked if the shared drive for the Subcommittees could be shared with the Commission members. Penny Doty reported that action may be a violation of the Open Meetings Acts which prohibits a quorum for any of the delegated subcommittees and the work performed by the subcommittees is confidential until presented to the Commission in an Open Meeting. Penny Doty will check with MSP/Legal regarding the issue.

The next in person Commission Meeting is scheduled for Thursday, December 5th at 10:00 a.m. at MFRI in Classroom I.

Chair Emil Nusbaum asked if there was and additional business the group members wished to address, and upon hearing none, the meeting was adjourned at 12:46 p.m.

These Meeting Minutes are respectfully submitted by Penny L. Doty.