

116TH CONGRESS
2D SESSION

H. R. 8232

To amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for the recycling and reuse of energy critical materials used in energy storage systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2020

Mr. TONKO (for himself and Mr. CURTIS) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for the recycling and reuse of energy critical materials used in energy storage systems, and for other purposes.

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 “Bolster American
5 Technology Through Expanding Recycling Yield Act of
6 2020” or the “BATTERY Act of 2020”.

1 **SEC. 2. ENERGY CRITICAL MATERIAL RECYCLING AND**
2 **REUSE RESEARCH, DEVELOPMENT, AND DEM-**
3 **ONSTRATION PROGRAM.**

4 (a) IN GENERAL.—The United States Energy Stor-
5 age Competitiveness Act of 2007 (42 U.S.C. 17231) is
6 amended by inserting after subsection (p) the following:

7 “(q) ENERGY CRITICAL MATERIAL RECYCLING AND
8 REUSE RESEARCH, DEVELOPMENT, AND DEMONSTRA-
9 TION PROGRAM.—

10 “(1) DEFINITIONS.—In this subsection:

11 “(A) ELECTRIC MOTOR VEHICLE.—The
12 term ‘electric motor vehicle’ means a vehicle
13 that derives all or part of its power for loco-
14 motion from electricity and is able to exceed a
15 maximum speed of 25 miles per hour without
16 any external assistance, including gravity, as
17 determined by the Secretary.

18 “(B) ELECTRONIC SCRAP.—The term
19 ‘electronic scrap’ means personal electronic
20 products near or at the end of their useful life,
21 containing embedded energy storage systems, as
22 determined by the Secretary.

23 “(C) ENERGY CRITICAL MATERIAL.—The
24 term ‘energy critical material’ means any of a
25 class of chemical materials that have a high
26 risk of a supply disruption and are critical to

one or more existing or new, energy-related technologies such that a substantial supply disruption of such material would significantly inhibit large-scale deployment of technologies that produce, transmit, store, or conserve energy.

“(D) ENERGY STORAGE SYSTEM.—The term ‘energy storage system’ means a system, equipment, facility, or technology that—

“(i) is capable of absorbing energy, storing such energy for a period of time, and dispatching such energy after storage; and

“(ii) uses a mechanical, electrical, chemical, electrochemical, or thermal process to store such energy, or any other process that the Secretary determines relevant.

“(E) LOW-SPEED ELECTRIC VEHICLE.—The term ‘low-speed electric vehicle’ means a vehicle with fewer than four wheels that derives all or part of its power for locomotion from electricity and is unable to exceed a maximum speed of 25 miles per hour without any external assistance, including gravity, as determined by the Secretary.

1 “(F) RECYCLING.—The term ‘recycling’
2 means the separation of energy critical mate-
3 rials embedded within an energy storage system
4 through physical or chemical means and reuse
5 of those separated energy critical materials in
6 other technologies.

7 “(2) ESTABLISHMENT.—Not later than one
8 year after the date of enactment of this subsection,
9 the Secretary shall establish a research, develop-
10 ment, and demonstration program of recycling of en-
11 ergy storage systems containing energy critical ma-
12 terials.

13 “(3) RESEARCH, DEVELOPMENT, AND DEM-
14 ONSTRATION.—In carrying out the program, the
15 Secretary shall focus research, development, and
16 demonstration activities on—

17 “(A) technologies, process improvements,
18 design optimizations, and methods that improve
19 collection, sorting, storage, and transportation
20 of energy storage systems for the purposes of
21 recycling, including—

22 “(i) removal of electronic scrap and
23 low-speed electric vehicles from landfill and
24 general recycling waste streams;

1 “(ii) extraction of energy storage sys-
2 tems from electronic scrap and low-speed
3 electric vehicles;

4 “(iii) extraction, recovery, and reuse
5 of energy critical materials from energy
6 storage systems;

7 “(iv) extraction, recovery, and reuse
8 of energy storage systems, and energy crit-
9 ical materials from energy storage systems,
10 within electric motor vehicles;

11 “(v) improving the recyclability of en-
12 ergy storage systems and products con-
13 taining energy storage systems; and

14 “(vi) safe disposal of energy storage
15 systems, including waste materials and
16 components recovered during the recycling
17 process; and

18 “(B) research on and analysis of non-tech-
19 nical barriers to improve the collection and re-
20 cycling of energy storage systems containing en-
21 ergy critical materials, including strategies to
22 improve consumer education of, acceptance of,
23 and participation in, the recycling of energy
24 storage systems; and

1 “(C) research on and analysis of tech-
2 nologies and methods to mitigate environmental
3 impacts that arise from recycling energy stor-
4 age systems, including disposal of toxic re-
5 agents and byproducts related to recycling proc-
6 esses.

7 “(4) ENVIRONMENTAL STEWARDSHIP.—The
8 Secretary shall seek to ensure that any activity re-
9 ceiving funding under this program—

10 “(A) does not release toxic byproducts into
11 the environment;

12 “(B) sufficiently minimizes potential fire
13 risk—

14 “(i) in facilities where energy storage
15 systems are stored; and

16 “(ii) in the transportation of energy
17 storage systems; and

18 “(C) protects the health and safety of all
19 persons involved in or in proximity to such ac-
20 tivity.

21 “(5) REPORT TO CONGRESS.—Not later than 3
22 years after the date of enactment of this subsection,
23 and every 3 years thereafter, the Secretary shall
24 submit to the Committee on Science, Space, and
25 Technology of the House of Representatives and the

1 Committee on Energy and Natural Resources of the
2 Senate a report summarizing the activities, findings,
3 and progress of the program.”.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—The
5 United States Energy Storage Competitiveness Act of
6 2007 (42 U.S.C. 17231) is amended in subsection (p)—

7 (1) in paragraph (5), by striking “and” at the
8 end;

9 (2) in paragraph (6), by striking the period and
10 inserting “; and”; and

11 (3) by adding at the end the following:

12 “(7) the research, development, and demonstra-
13 tion program under subsection (q) \$22,000,000 for
14 each of fiscal years 2021 through 2025.”.

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