



Ms Joss Crawford
Chief Executive Officer
EPA Victoria
664 Collins Street
Docklands VIC 3008
Email: wasteandlandpolicy@epa.vic.gov.au
Submission via [online portal](#)

15 May 2026

Dear Ms Crawford

Re: National Guideline for Safe Management of End-of-Life Lithium-ion Batteries

Thank you for the opportunity to provide feedback on the *Exposure Draft of the National Guideline for Safe Management of End-of-Life Lithium-ion Batteries* ("the guideline"). WMRR understands that the Environment Protection Authority (EPA) Victoria is developing a national guideline to support the safe management of end-of-life lithium-ion batteries (EOL LIBs) on behalf of the Heads of EPA Australia and New Zealand (HEPA). The guideline seeks to provide clearer guidance for local government and industry on the safe management and disposal of EOL LIBs, while promoting a nationally harmonised approach to risk mitigation across the waste and resource recovery sectors in Australia and New Zealand. It outlines information and risk controls for managing EOL LIBs throughout the waste chain, including collection, transport, handling, storage and resource recovery. Feedback is sought on the guideline's clarity, usability, identification of risk and risk mitigation controls.

The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$20 billion waste and resource recovery (WARR) sector. With more than 2,300 members from over 380 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs). WMRR has been active in progressing the development of the NSW *Product Lifecycle Responsibility Act 2025* nationally, and the mandatory, industry-funded battery stewardship under the *Product Lifecycle Responsibility Regulation 2026*. Current advocacy efforts are being directed towards multiple jurisdictions to encourage them to follow suit in order that nationally aligned state schemes can facilitate the delivery of appropriate infrastructure to address increasing battery fires and the risk they pose, which has become a high-profile national safety, infrastructure and financial crisis for WARR industries.

Lithium-ion batteries are now embedded in everyday products including vapes, toys, power tools and electronics, yet consumers often do not know they contain batteries or how to dispose of them safely.

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037

(02) 8746 5000
INFO@WMRR.ASN.AU

WMRR.ASN.AU

As a result, batteries continue to enter kerbside and mixed waste streams, causing fires in trucks, transfer stations, MRFs, landfills and recycling facilities that were never designed to manage incendiary hazardous products. These fires are difficult to extinguish, can reignite for days, and place workers, emergency responders and communities at risk while driving up infrastructure damage, insurance and operating costs. With more than 10,000 fires reported annually across the WARR sector and only around three (3) in every 20 handheld batteries recovered in Australia, the current system is failing. WMRR supports the transition to mandatory, nationally consistent product stewardship for all batteries and battery-embedded products, but the immediate priority must be keeping batteries out of general bins, skips and waste facilities. The WARR sector cannot continue to carry the safety, operational and financial burden for hazardous products it did not create.

It follows that WMRR encourages HEPA to review and refine the guideline bearing in mind the following comments:

- i. The current tone of the guideline overall disregards that EOL LIB are an issue at waste and resource recovery facilities due to their inappropriate and illegal disposal (not due to any negligent controls by facility operators)*

In WMRR's view, the guideline consistently underplays the fact that the WARR sector often has no practical ability to identify EOL LIBs before ignition and includes risk controls that rely heavily on staff training, signage, technology investment and inspection – these are weak 'controls' for a high-risk hazard hidden inside compacted mixed waste. Given that EOL LIB can have catastrophic impacts on worker safety, WARR facility insurance, infrastructure operations, continuity of WARR services and the environment, it is disappointing that the guideline does not set any mandatory minimum standards to protect WARR workers, emergency responders, councils, communities, and essential infrastructure from escalating EOL LIB fire risks.

Given that the guideline purpose is the provision of practical guidance for the safe handling and disposal of EOL LIBs, it is surprising that the guideline is highly academic and advisory in nature, and fails to apply a practical risk management framework based on eliminating and minimising this serious fire risk at the outset. In particular, we note:

- The controls for EOL LIB apply once they are already unlawfully or negligently disposed of and in mixed with waste streams. This essentially assumes that the WARR sector must absorb the costs and consequences of this serious and increasing risk, for a material we are not seeking to collect/process.
- The controls frequently use non-committal and vague language like "should", "where possible" or "if available", but in our view, high-risk WARR facilities need mandatory minimum controls given the gravity of the risk to worker's lives. For example, the vehicle fire section lacks prescriptive

direction, saying *“Do not attempt to extinguish a fire using handheld suppression methods unless it is safe to do so”*.

- Financial and insurance impacts have not been identified. The analysis of risk in the guideline contains no discussion of escalating insurance costs, landfill asset damage, business continuity, environmental liability or long-term remediation costs. These are now major WARR sector impacts from the illegal disposal and mismanagement of EOL LIBs and should be articulated in the risk framework.
- There are no provisions for mandatory reporting and fire data capture. This seems like a missed opportunity to acquire nationally consistent battery fire reporting or harmonised national incident data. WMRR would encourage analysis and sharing of fire trends across jurisdictions. This can be used to evolve the guideline accordingly with improved risk controls.

- ii. *The guideline currently misdirects the risks and hazards associated with EOL LIBs towards environmental contamination. This should be revised to give increased emphasis to the high-priority fire risk*

Despite in Section 1 identifying *“Improper disposal of these batteries is causing fires in waste management vehicles and facilities”*, the guideline does not follow up with further commentary around the significant safety risk that life-threatening fires place on workers and the community. Instead, section 5.1 emphasises *“... Environmental contamination. If batteries are put in landfill or stockpiled, metals and chemicals can leak into soil and groundwater.”* In WMRR’s view, this a misdirection from the actual risks that result from illegal disposed batteries causing a landfill, stockpile or facility fire –which is not identified as an issue anywhere in the document.

Major landfills and resource recovery facilities are sited and engineered to protect groundwater, as such the risks of the contaminants (in facilities designed to contain post-consumer waste) is not the primary risk. Batteries have an outsized risk of impact due to the larger fires they cause, which in a waste facility exceed the contaminant release from the batteries themselves. In WMRR’s view, the *Section 5.1 wording should be revised to:“... Environmental contamination. If batteries are illegally disposed of and are put in landfill or stockpiled, metals and chemicals can leak into soil and groundwater.”*

Section 1 should also include explicit wording highlighting the significant impact that illegal disposal of EOL LIB has on the WARR industry in addition to the obvious safety risks to human health. Ie: *“Secondary fire impacts due to illegal disposal at end of life is causing outsized impact on waste and recycling operations due to their action as a pervasive ignition source and cause of fire at facilities handling recovered resources and residual wastes, causing economic loss and significant air pollution”*.

iii. The hierarchy of controls should include upstream measures

Given the guideline identifies its intended audience as including “regulators” for OH&S and the environment, it is very apparent that it is missing the suite of actions necessary to eliminate risks before EOL LIBs even arrive at a WARR facility. Without clearly identifying the need to minimise illegal disposal at WARR facilities, the guideline is missing the point of establishing a national risk management framework.

WMRR notes that Section 4.2 on the hierarchy of controls starts with ‘elimination’ as “*Stop accepting damaged batteries and redirect people to specialised collection points or facilities.*” This does not resonate with the reality that EOL LIBs are presenting in household and mixed waste streams delivered to WARR facilities. The guideline repeatedly warns that batteries disposed of in general waste streams contaminate mixed waste and create elevated fire risks in collection vehicles, transfer stations and downstream facilities. Yet the first step in the hierarchy of controls for the national guideline is for waste and recycling facilities to simply “not accept it”. The reality is that WARR facilities will not always be able to identify (compacted) EOL LIBs until after the fire risk has escalated. Work needs to be done to ensure that the EOL LIBs are not deposited in bins nationally, and classified correctly, as many operators realistically will not be in a position to stop accepting their contracted waste materials as it is unlikely they can demonstrate where it was deposited with accuracy given the volumes they collect.

The consequences and costs of safely managing EOL LIBs cannot simply be shifted onto the WARR sector through this guideline. The hierarchy of controls should identify the elimination of risk at first instance, as being the availability and promotion of appropriate and accessible infrastructure to receive, store, recycle and dispose of EOL LIBs.

iv. The guideline should prescribe landfill-specific controls

The guideline does not provide sufficient landfill-specific operational, engineering and emergency response controls proportionate to the growing frequency and severity of battery-related landfill fires. The prevalence and severity of the fire risk at landfills is on the public record, with each state’s EPAs issuing notices for landfill fires and hotspots, and WMRR’s *Australian Landfill and Transfer Station Conference* including a half day landfill fire workshop in 2025, along with a dedicated workshop stream throughout the conference. There is an obvious knowledge gap in this area that WMRR would expect the guideline to address with clear and practical risk controls.

The guideline acknowledges that batteries in municipal waste are difficult to detect, compaction and crushing can trigger thermal runaway and fires can occur in collection vehicles and transfer stations before waste even reaches landfill. WMRR also notes that Standards Australia will also be issuing further supply chain safety guidance for the transport of EOL LIBs. This leaves a significant gap for the WARR sector in that the guideline currently says very little about active landfill face fires, subsurface landfill fires caused by batteries, landfill gas interactions, deep-seated thermal events, fire propagation within waste cells, risks to landfill compactors and mobile plant and long-duration landfill remediation after battery ignition. Such events often result in breach notices issued by state-based

regulators, and WMRR understands that in some jurisdictions, such as WA, fires in a landfill are not considered within the remit of the local fire authority.

WMRR recommends that the guideline be revised to include:

- Landfill-specific operational controls or at the very least, checklists for:
 - waste inspection at landfill entry
 - dedicated battery quarantine zones
 - thermal monitoring at active faces
 - emergency isolation procedures
 - battery fire response protocols for landfill operators
 - mobile plant operator procedures.
- Guidance for landfill operators handling ignited loads – Further practical guidance should be included on what to do when a battery fire arrives in a transfer trailer or collection vehicle, whether to tip loads, how to isolate burning waste safely, safe burial or cover techniques and preventing re-ignition of fires.
- Stockpile and residual waste management – The guideline focuses more on collection and recycling than on residual waste disposal environments. It does not sufficiently address key landfill issues such as stockpile fires or alternative daily cover contamination from EOL LIBs.

Put plainly, it is WMRR's view that the guideline does not reflect the reality of the supply chain for EOL LIBs and fails to place the responsibility upstream where it belongs on those that generate and/ or dispose incorrectly, or require enough hard controls downstream. The revision of the guideline should seek to strengthen it into an enforceable national framework, with mandatory controls for high-risk WARR vehicles and facilities backed by producer-funded infrastructure upgrades, compulsory incident reporting, national fire data collection processes, and mandatory product stewardship measures that keep batteries out of mixed waste in the first place.

WMRR trusts that these comments will be helpful in refining the guideline, and welcomes the opportunity to further discuss these matters with HEPA and/or EPA Victoria. Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely



Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia