Lithium Batteries/U.S. Environmental Protection Agency Request for Information Regarding Best Practices/Collection/Recycling/Labeling: SWANA and Three Other Organizations File Joint Comments

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The Solid Waste Association of North America ("SWANA") and three other organizations filed joint comments addressing questions posed by the United States Environmental Protection Agency ("EPA") in the following document:

RFI Development of Best Practices for Collection of Batteries to be Recycled and Voluntary Battery Labeling Guidelines ("RFI")

See EPA-HQ-OLEM-2022-0340.

The other organizations joining the comments included:

- Battery Council International
- Global Electronics Council
- National Waste & Recycling Association

(Collectively, "SWANA")

Questions related to the utilization, collection, and recycling of lithium batteries have increased in importance because of the current and projected significant rise in the demand for electric vehicles. Experts project there will be over 18 million electric vehicles utilizing United States roads by 2030, comprising about seven percent of the nation's passenger fleet. See Edison Electric Institute, EEI Celebrates One Million Electric Vehicles on U.S. Roads, November 30, 2018.

The proliferation of electric vehicles has led to greater demand for lithium-ion batteries. The United States supply chain is therefore seeing overwhelming demand for lithium, cobalt, and nickel used in the manufacturing of such batteries. See Katy Brigham, U.S. is Facing a Lithium-Ion Battery Shortage as Electric Vehicle Production Ramps Up (April 8, 2021). Therefore, there is significant interest in recycling such batteries to the extent possible.

The EPA *RFI* notes that the federal agency is developing best practices with respect to the collection of batteries to be recycled. Further, it is establishing a program to promote battery recycling through the

utilization of voluntary labeling guidelines. This would include communication materials for battery producers and consumers.

As a result, EPA issued the *RFI* to request information on end-of-life management of batteries which would include:

- Battery generation
- Battery collection
- Battery recycling
- Battery reuse
- Current labeling standards
- How various parties involved with batteries are educated on their management

The joint SWANA comments quote by way of introduction a statement in the EPA *RFI* which says:

. . . batteries can start fires throughout the municipal waste management system, in transportation and at transfer stations, to materials recycling facilities . . .

Concern is expressed that such hazards will increase with the growing amount of discarded lithium-ion batteries and their improper placement in curbside residential waste or recycling collection containers. Significant examples of facility fires at recycling and other facilities are cited and the difficulty of obtaining insurance or increase in premiums because of these issues are noted.

Consequently, the joint comments request that EPA:

. . . move expeditiously to develop labeling guidelines for batteries and communication materials for battery producers, state and local governments, and others.

The questions addressed by the joint ISRI comments include:

- How do state, tribal, and local governments, including U.S. territories and the District of Columbia, handle battery collection and recycling?
- What barriers are state, tribal, and local governments, including U.S. territories and the District of Columbia, facing regarding battery collection and recycling?
- Do state, tribal, and local governments, including the U.S. territories and the District of Columbia, find common problems at battery collection? What existing best practices have been developed to address these common issues? How have these best practices increased safe battery recycling?
- What problems have battery collection facilities encountered when handling and processing batteries?
- Explain how local governments, retailers, and others collect discarded batteries at drop off, store them, and then ship them somewhere.
- What are the concerns and challenges with battery recycling faced by each entity in the battery recycling chain?
- Communication Materials for the Public
- How should batteries be managed?
- What should be the goals of developing voluntary labeling guidelines for batteries?
- What information should be included on the label to achieve these goals?
- Scope of batteries collection best practices

A copy of the joint SWANA comments can be downloaded here.