

Lithium Batteries: Association of State and Territorial Solid Waste Issue 2026 Position Paper



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The Association of State and Territorial Solid Waste Management Officials ("ASTSWMO") issued a document titled:

ASTSWMO 2026 Lithium Battery Position Paper ("Position Paper").

ASTSWMO created a Lithium Battery Workgroup ("Workgroup") because of the organization's concerns regarding various issues associated with these batteries such as:

- Energy density has the potential to harm human health and the environment.
- Propensity for thermal events.
- Complex emergency response activities.
- Potentially catastrophic outcomes if improperly handled.

By way of background, the Position Paper notes that the organization has also:

- Provided early feedback on Environmental Protection Agency's ("EPA") Solar Panel and Lithium Battery Universal Waste Proposed Rule through the Federalism Consultation process described in Executive Order 13132.
- Surveyed States' and Territories' solid waste/materials management program staff and hazardous waste program staff to identify major challenges they face in managing end-of-life management of lithium batteries.

45 States are indicated to have responded to the survey with all of them identifying nearly identical challenges:

- Inadequate regulatory framework.
- Insufficient recovery infrastructure.
- Emergency response difficulties.

The Position Paper states in response to these challenges:

... Almost all challenges identified in the survey can be addressed by a single solution: EPA implementing universal waste regulations that specifically address the handling, storage, recycling, and disposal idiosyncrasies that lithium batteries present. The regulations should be built on the existing foundation of similar rules governing batteries generally, supplemented by standards addressing battery segregation, appropriate storage practices, fire mitigation techniques, financial assurance, and emergency response planning.

Topics addressed in the Position Paper include:

- Inadequate Regulatory Framework.
- Insufficient Recovery Infrastructure.
- Emergency Response.

ASTSWMO takes the position that EPA should implement RCRA universal waste regulations that establish:

- Appropriate notification requirements.
- Proper segregation and storage requirements.
- Allowable handler activities.
- Emergency preparedness, prevention, and response procedures.
- Financial assurance requirements.

ASTSWMO describes its organization as representing the 50 States, 5 Territories and the District of Columbia. The organization's mission is described as enhancing and promoting effective state and territorial programs and to affect relevant national policies for waste and materials management, environmentally sustainable practices, and environmental restoration.

A copy of the Position Paper can be found [here](#).