

The Director
Stewardship and Waste Section
Environment Standards Division
Department of the Environment and Energy
GPO Box 787
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To Whom it May Concern,

The National Waste and Recycling Industry Council ([NWRIC](http://www.nwrirc.com.au)) is the representative body for national service providers. Its core activity is to proactively engage with all of the industry's key stakeholders to promote solutions to the challenges facing the sector.

The current members of the Council - Alex Fraser Group, Cleanaway, J. J. Richards and Sons, Solo Resource Recovery, Sims Metal Management, Suez, Remondis, ResourceCo and Veolia - represent the majority of the private capital invested into waste management and recycling assets in Australia.

While the Council is a national body, it also works proactively with Affiliates, which represent the interests of the industry at a State level. Through collective action, the Council and its State-based affiliates form a network representing the industry Australia wide¹.

Summary

1. The NWRIC believes that all 'problem products' in Australia should be subject to appropriate product stewardship regulations which ensure that the real costs to recover and process these products are funded by those organisations who produce and place the products into the market.
2. We believe the two highest priority products for improved product stewardship are batteries (all chemistries and sizes) and tyres.
 - a. Batteries pose both an OH&S and a fire risk in waste and recycling management systems as well as a contamination risk.
3. Commonwealth and State Product Stewardship programs should be harmonised. Broader harmonisation of waste and recycling legislation will create commercial and environmental benefits while reducing costs.
4. The Commonwealth should invest appropriate resources into researching, implementing and monitoring product stewardship regulations.

¹ NWRIC's state 'Affiliates' are; the Waste Recycling Industry Association of Queensland (WRIQ), the NSW Waste Contractors and Recyclers Association (WCRA), the Victorian Waste Management Association (VWMA), the Waste Recycling Industry Association of South Australia (WRI-SA) and the Waste Recycling Industry Association of WA (WRI-WA) and the Waste Recycling Industry Association of the Northern Territory (WRI-NT). They represent every Australian jurisdiction except Tasmania.

Product Stewardship Review - NWRIC Submission

The NWRIC believes that all ‘problem products’² in Australia should be subject to appropriate regulations that ensure the full lifecycle costs including high quality collection and recycling are adequately funded by the organisations who produce and place these products on to the market.

For example, the cost of high quality e-waste recovery (including OH&S systems, insurance and ancillary costs) is in the order of \$0.70 to \$1 per kilogram. We estimate that professional quality recycling of tyres cost approximately \$5 per equivalent passenger unit (EPU).

In regard to the terms of reference, we note the following.

1. The extent to which the objects of the Act are being met and whether they remain appropriate.

Currently the objects of the Act focus on reducing hazardous substances and reducing environment impact.

The Act should be extended to include;

- Protecting workers in the waste and recycling sector from harm through the separation of hazardous products (for example; paint, pesticides, aerosol cans, flame retardant materials, pesticides, solvents etc.).
- Reducing the risk of fires (from batteries, aerosol cans, solvents and fuels) plus illegal dumping (particularly for tyres).
- Creating jobs and economic value by recovering resources and improving the quality of recycled material Australia produces for use locally and overseas.
 - In the wake of new export standards (under the “Chinese National Sword”) effective product stewardship will reduce contamination in household and commercial recycling.

2a. The effectiveness of the accreditation of voluntary product stewardship schemes and,

The NWRIC believes that all ‘problem products’ in Australia should be subject to appropriate regulations which cover the lifecycle cost necessary for high quality recycling infrastructure and collection systems.

This would include either mandatory or co-regulatory regulations under the *Product Stewardship Act 2011*, or where appropriate a separate act, such as the *Product Stewardship (Oil) Act 2000*. The NWRIC does not believe that voluntary schemes achieve the objects of the Act effectively. Nor do they provide a level playing field or commercial certainty for all stakeholders involved to invest in solutions that will minimise the environmental and human harm of products throughout their lifecycle including professional quality recycling systems at end of a product life.

² Where problem products are those identified on the current and previous priority product list(s).

2b. The Minister's annual product list in supporting product stewardship outcomes.

We believe the Minister's current and previous lists identify the key products in need of product stewardship programs. We support product stewardship regulations for the following identified priority items;

- Batteries,
- Photovoltaic systems,
- Plastic oil containers,
- Waste architectural and decorative paint,
- End-of-life batteries (of all weights),
- Packaging, and
- End-of-life air conditioners with small gas charges.

The NWRIC submits other priority products should be;

- Tyres,
- PFOS/PFAS containing materials,
- Aerosol cans,
- Light globes,
- End of life white goods, and
- Whole cars.

While there are a significant number of items on this list, we believe the two items which are the highest priority requiring product stewardship regulations are batteries and tyres.

- When compacted or pierced, lithium ion batteries can self-combust. We believe this process has been the cause of waste fires. In order to reduce this significant risk, batteries of all weights and chemistries need to be removed from the waste stream and separated for appropriate processing.
- We believe that a significant number of end-of-life tyres are still being dumped or disposed of in an unsafe manner, including export to Asia where they are processed in substandard conditions.
 - The cost of recycling a tyre is marginal compared to its sale price. We estimate the cost of high quality tyre recycling to be \$5 per equivalent passenger unit.
 - When dumped in the environment tyres are a fire hazard.

3. The operation and scope of the NTCRS

We submit the following suggestions;

1. The definition of e-waste should be extended to include all products with a cord/and or a battery.
2. There needs to be greater clarity around the role of local government and retailers in the scheme as collectors.

3. The regulation should include new provisions to improve e-waste collections from regional and remote areas.
4. The Scheme needs to be promoted more broadly to consumers by the co-regulatory arrangements.
5. The scheme should account for the approximate cost for the promotion, collection and recycling of e-waste, which we believe is in the order of \$0.7 to \$1 per kilogram.

4. The interaction of the Act with other Commonwealth, state and territory and local government legislation, policy and programs.

Individual States have the capacity to implement product stewardship schemes, such as the container deposit legislation. Harmonisation of these programs would be beneficial, particularly CDS schemes.

We note the Commonwealth intends to develop a Product Impact Management Strategy to “support a shared approach between Australian, State, Territory and Local Governments.” We support this approach but believe there should also be a formal pathway / mechanism for industry to nominate products and materials for consideration as part of the annual process.

Broadly the disharmony between states creates a cost to business without any economic or environmental dividend. The disharmony in landfill levies is the biggest disruption, as it incentivises the unnecessary transport of waste between States.

In regard to disharmony, we also note the following;

- Different standards for the establishment of organics recovery facilities.
- A lack of certainty in term of planning provisions for waste and recycling facilities.
- Greatly varied levels of enforcement of regulations.
- Different levels of hypothecation of landfill levies.

We welcome further correspondence on this matter.

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