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Ms Libby Chaplin
CEO
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By email: libby@batteryrecycling.org.au


Used Lead Acid Battery Collection & Recycling in Australia

Dear Libby

As you are aware, it has been Dodd's position that it is more environmentally sound, more economically efficient and safer to export whole ULAB recovered in Western Australia for recycling than to transport them 4,000 km by road, rail, road across Australia. This is particularly pertinent when more than half of Australia's annual ULAB arisings are only "broken" in Australian facilities and the lead, including the hazardous lead waste (paste) extracted in that process, representing approximately 75% by weight of the ULAB, is exported to the same smelters overseas.

We acknowledge that when the Alexandria and Wagga Wagga processing facilities, which broke, smelted and refined ULAB were both operating with a combined processing capacity of 140,000 tonne p.a., there was sufficient technical capacity to process Australia's annual ULAB arisings and dispose of the hazardous waste in Australia.

We have, however, never seen any evidence to support the view that processing capacity has any influence on the rate of ULAB recovered for recycling. This position has been reinforced during the past eighteen months when the prices paid for ULAB by Australia's processors/breakers have declined so significantly to render the collection of ULAB in much of Western Australia economically unviable.



Following the closure of the Alexandria facility, (85,000 tonne p.a.) and the acquisition of the Wagga Wagga facility by the RAMCAR Group in 2018, the subsequent significant reduction in the price paid for ULAB by Enirgi Power Storage Recycling (Enirgi) and DGL Environmental, formerly Hydromet Corporation, (DGL) and concern about the economic viability of recovering ULAB from regional areas of Western Australia, we again applied for a permit to export ULAB to an appropriately licensed processing facility in Korea.

Our Application was subsequently refused earlier this year and in the Statement of Reasons dated 13 February 2020, the Delegate of the Minister stated in Para 1: -

*"I made this decision on the basis of regulation 16(4) of the OECD Regulations, because I determined that the 6,000 tonnes of ULABs that are the subject of the permit application could be disposed of safely and efficiently using **a facility** in Australia, that such disposal would be consistent with the environmentally sound management of the waste and, having regard to the desirability of using facilities in Australia for the disposal of hazardous waste, the waste should be disposed of using **that facility** rather than according to the export proposal."*

Although the Department of Environment's (the Department) decision acknowledged there is only one facility in Australia that could dispose of the ULAB it seems to reflect the most basic of mathematical calculations - as Enirgi was licensed to process 70,000 tonne p.a. but had only been able to attract around 60,000, it had the capacity to process Dodd's 6,000 tonne. It would also seem that the decision failed to address what happens to the remainder of Australia's annual ULAB arisings estimated at 150,000 tonne.

Following that decision, Dodd lodged an Application in the Administrative Appeals Tribunal (AAT) for a review of the Minister's decision. The Hearing took place on 9 – 10 November with the decision expected to be handed down by Christmas.

Although an arduous and expensive exercise, the process leading up to the formal Hearing and the Hearing itself has provided considerable insight into the ULAB collection and recycling industry in Australia.

Annual ULAB Arisings

There have been numerous reports, including the following, which have sought to quantify Australia's annual ULAB arisings.

2010	Warnken ISE	122,218
2013	GHD Report	143,000
2014	Institute for Sustainable Futures	137,000 (2012/13)
2015	Mark Frecheville Consulting	137,000
2020	Battery Stewardship Council	154,490 (2017-18)

We consider the foregoing reports compiled by credible independent parties, including the Battery Stewardship Council with whom ABRI is closely aligned, support the general view that Australia's current annual arisings approximate 150,000 tonne.

In Statements lodged in the AAT, tonnages processed in 2019 were as follows: -

Enirgi	57,676 tonne
DGL	44,025 tonne
V-Resource	12,000 tonne
Lex Enviro	6,000 tonne
Total	119,701 tonne

These statistics, we hasten to add pre-COVID, would indicate that in excess of 30,000 tonne, or approximately 20% of ULAB arisings in Australia are either not being collected for recycling, inappropriately stockpiled or exported illegally.

Our main concern is that the foregoing tonnages expose a very different picture to the one painted in a Power Point presentation to the Hon. Minister (and/or her advisors) last year in which ABRI asserted that 96% of ULAB in Australia were collected for recycling, a percentage also adopted by the Battery Stewardship Council in its report dated 22 June 2020.

Although Dodd considered that the percentage was on the "high side" at the time, it is clear from the foregoing that it is currently not the case.

We are at a loss to understand why the Department doesn't simply request the four ULAB processors/part-processors report annually on the tonnage of ULAB recycled or broken and the State from which the ULAB were consigned.

Given, ABRI's stated objective is "to promote the collection, recycling and safe disposal of all batteries," we are interested to understand what ABRI attributes to the decline and what action it proposes to address the issue.

Prices Paid by Enirgi & DGL

The following would tend to support the view that declining recovery rates is as a direct result of a significant reduction in the price paid for ULAB by Enirgi and DGL.

Furthermore, there is more and more evidence, some admittedly circumstantial, of an increase in illegal exports as a result of globally competitive pricing available from ULAB processors throughout Asia and Europe approximating \$500 per tonne more than those paid by Enirgi and DGL.

