

## AIBOLG Agencies' and Industry Batteries Operational Liaison Group

22<sup>nd</sup> April 2013

15:00 – 16:00

Tel. 0800 032 9811

Participants Code: 7939 0685#

Attendees:

Schemes: **David Reynolds, Stephen Clark.**

ABTO/ABE: **Michael Green, James Avison, Terri Williams, Brian Kelly.**

Agencies: **Helen Rockey** (EA - Chair), **Dermot O'Regan** (EA), **David Brunswick** (EA), **Carly Ivanko** (EA), **Mark Rhodes** (Natural Resources Wales), **Ruairi McCann** (NIEA).

BIS: **Grahame Dovey**

Defra: **Simon Dawes**

- 1) Hand carriability document and implementation of the change, including timing with definition of a vehicle guidance.

SD provided an update on the hand carriability document. He said that a large producer had requested that the cost implications of bringing about this change to producers were assessed. In advance of a mini-consultation on amendments to the guidance, the minister would be presented with arguments for and against including the additional cost to producers.

MG stated that the cost to producers currently was lower than expected because of the lead acid battery collections. He asked whether the increased cost to business would mean that the change did not happen.

SD confirmed that it was a possibility that the Minister could refuse to implement the change to the threshold level due to the increased cost to producers in the current economic climate. He confirmed that the environmental outcome and stakeholder views would also be considered in reaching a decision.

SD agreed to circulate the costings documents and ERM reports that was used at the beginning of the regulations to assess cost to producers.

HR would collate responses.

The timetable implementing the changes was discussed. It was agreed that it was best to bring any changes in at the beginning of a quarter. It was agreed that if the 1st July deadline could not be met that 1 October would be the next available date.

SD stated that as part of the review the cost implications to producers should be included and any other supporting information, such as if there were stockpiles of non-lead acid batteries at sites you.

HR agreed to anonymise the data before it was submitted to Defra if companies wished.

DR asked whether the guidance would include how backdating would be handled.

MG asked at what point the discussion paper could be circulated.

SD stated that the change would not be retrospective and that the document would be circulated following ministerial approval. He asked whether a transitional period would be useful. It was agreed by representatives that it would not.

MG received an e-mail from EBRA asking about definition of sealed and hand carriability. He agreed to send it to HR to be circulated to members.

#### Definition of a vehicle guidance

GD stated that he was preparing to issue guidance regarding the definition of a vehicle and that the original plan discussed at AIBOLG was that this guidance would be issued at the same time as the hand carriability document. He asked if the hand capability document was delayed did representatives still want the change to come in at the same time.

It was agreed it was better to bring the guidance in at the same time, but should the Minister agree to launch the mini consultation on hand carriability a statement could be issued announcing HMG's intention to change the guidance as well as consulting on change to guidance on hand carriability.

GD stated that the guidance would not be retrospective.

- 2) Recycling efficiencies, who is required to submit, changes to the regs re. who submits and offence if do not submit, non-EU reproprocessors.

SD stated that the recycling efficiency regulations apply directly to recyclers. It is EU legislation but is directly applicable in the UK but the UK legislation would need to be updated to define the competent authority and to include an offence for failure to report by the deadline. These requirements would be to the environmental permitting regulations because the requirements applied to all recyclers and not just to ABTOs.

There were questions regarding overseas reproprocessors and obtaining information from them, particularly if outside the EU and would be the effect if a UK ABTO could not provide the full data for batteries or components of batteries recycled overseas.

SD confirmed that these questions had been referred to the EU.

### 3. IARs

SD explained that there were discussions as part of the coherence work to remove the requirement for IARs. He explained that until the regulations are amended it remains a legal requirement and no change will take place until the regulations change. He explained that the environment agency's can take a proportionate approach if the report is not produced and that as we are proposing that the IAR requirement is removed that he would expect any enforcement action to reflect that.