

Lead acid telecon notes

Attendees: Carly Chambers, Helen Rockey, David Brunswick, Alex Robinson, Dermot O'Regan, Adrian Hawkes, David Reynolds, Michael Green, Brian Kelly, Terri Williams, Bryan Neill.

Review of measures to take. Short term vs. Long term options

Summary of concerns:

1. AH – Converse trends of market data decreasing and collection increasing. Problem of misreporting of market data and protocols being out of line with sales that are going onto the market. (EA recognises issues. Inspection of sites has not raised issues with protocols, which are site specific and rely on different waste streams. Work ongoing where we are working with producers to bring into compliance.)

DR raise concerns around basing standard protocol based on portable lead acid placed on market as inaccurate data for portable Pb being placed on the market.

MG highlights easing costs of compliance as key motivator for agreeing model.

2. MG – Impact of lead acid increase having damaging impact on collections of other chemistries. Negative impact upon his operation, and negative impact on achieving overall objectives of the directive. Mismatch in definition of portable lead acid battery at producer vs. Waste end causing problem. Easy for producer to discount a product based on its use, but difficult for waste industry to classify (which only has guidance). Solution needed to prevent 300% collection rate. Need for easily defined definition usable for producers, waste industry and agencies to enable to enforce. Suggests weight definition threshold (2.5-3kg, for example) at which any battery will be portable. Similar position taken in other European countries. Standard protocol could be determined from standard weight definition. Remember, any changes would require ABTO/ABE to review anyway. Changes suggested are quick measures within agency power to implement soon to make. Motivation to enact changes soon to prevent problems occurring next year. Long term fix of chemistry specific targets could be way forward, but short term remedial solutions needed. Main obstacle to enforcing change will be to mitigate concerns of producers' costs of compliance.

Update on consideration from agencies:

3. HR – Flexibility exists to determine hand carriability. Definition of portable batteries cannot be altered, as this has been copied out of Directive. Suggestion echoes MG suggestion of fixed threshold and remove 4-10kg

'grey area'. Query analysis for what is considered 'hand carriable'. (MG – reduction of hand carriability tonnage would dramatically reduce tonnages declared being placed on the market. Use HSE manual handling guide. Analysis gathered to show volumes of batteries 0-10kg and will share.) This would still have an impact upon market data. DR highlights that even where tightening of definition occurs that we will still have problem we have now where producers are declaring batteries as industrial based on the markets they are selling to/intended for. Schemes do not hold much information on amount of batteries placed on the market from 3-4kg. AH said schemes could gather some data. AH again highlights that we may still have problems as a number of producers will still consider that they should not be involved in regime at all. Dangerous to give perception that we are reducing costs of compliance at behest of those producers that are complaining.

4. CC – Changes in agency guidance to make clearer would help prevent complex cases developing. Less information would be required to determine compliance. EA would lead on freerider campaign to focus attention on getting the right producers to be registered. DR concern that weight definition change would miss the key point of defining designed for industrial use. MG clarifies that when definitions were first considered it was recognised that there would always be batteries falling the wrong side of the divide. MG re-affirm that by addressing weight definition would still have a positive impact and make the over collection of lead acid less of an issue.
5. HR – Problem of limiting waste protocols as maximum of % of portable Pb acid placed on the UK market. Protocols are voluntary and reprocessors could simply sort to get around protocol limits. MG says limitation of protocols in conjunction with changes to hand carriability would solve problem. May still be over-collection, but should not be at levels of 300%. AH questions ABTOs whether batteries up to 10kg will be considered as hand carriable. MG confirms that these types of batteries inevitably will be classified as portable.
6. HR – Chemistry specific targets. This would require regulatory change. Lead acid producers would need to meet specific lead acid collection rates. (AH agrees this could be part of long term solution. This would need to be balanced with practicalities of regime. Cross compliance of lead acid batteries in current market would put UK at risk of failing targets. Believes we should consider some mixed targets to prevent UK from failing and mitigating vast increases in costs for other types of battery producer. By enforcing chemistry specific targets this would go beyond requirements of Directive.)
7. Other types of battery collections have suffered as a result of current system. Schemes have stepped back from investing in other collections as these have not been necessary. Concern that environmental objectives of Directive are

being missed. Other chemistries of batteries are the reason why the Directive was brought into force, so to leave the situation as it is would be damaging to the environment. Alkaline batteries (though more benign than other chemistries) are, for example, still environmentally damaging when landfilled.

8. Other European approaches. AH says France and Belgium have similar situations but to lesser extent. Standard proportion for sales and collections balanced. Fixed limit based on weight used. AH to share info with HR. Ireland use 2kg threshold. DR highlights problem in assumption of lead as a commodity. If this incentive is removed then there will be problems in incentivising collections. At some point in future value will change, cyclic costs. Polluter pays principle should mitigate for these, so more costs would have to be met by the producers.

Timetable of activity: Scale of action needed will determine how much time it would take to implement changes. Would need to discuss and agree with Defra and other stakeholders. EA could implement a compliance campaign. (Risks of changing guidance mid-year and impact on membership, AH).

Important that the wider definition of design for industrial use is considered. This comes into long term considerations of changes to Regs. Definition by weight can only be used to apply to hand carriability and not as a definition for what is industrial. Important to resolve lead acid situation to provide a stable market and give UK best chance to meet 2016 target.

DO'R – Questions: Do we have authority to place a limit on protocols, and how would we justify baseline limit on protocols way below what is currently being claimed?

BN – Is there any multi-agency approach? Are we picking up any imported waste lead acid batteries? Illegal imports that may be entering the UK market and coming into UK waste stream. No targeted freerider activity by EA to date, and this is an area that EA is considering to target and will need to discuss with Defra.

ACTIONS (prior to Defra stakeholder meeting)

1. Data requested to be gathered. Schemes and ABTOs to get view from of proportion of lead acid what proportion of their batteries in weight ranges 2-3kg, 3-4kg, 4-5kg, 5-10kg. AH to co-ordinate with schemes, MG to co-ordinate with ABTO and share with HR.
2. EA can check historic audits and implement for future audits to monitor weight ranges highlighted in Action 1.
3. Intelligence of other approaches in Europe to be shared.
4. All to consider time frame for when changes need/should be implemented.
5. Dermot to speak to Rob Rawlings at Defra to confirm date of stakeholder meeting as soon as possible.