

AIBOLG
Agencies' and Industry Batteries Operational Liaison Group

26 October 2012

10.00 – 12.00

Attendees:

Industry: **David Reynolds** (Scheme), **Michael Green** (ABTO/ABE) & **Terri Williams** (ABTO/ABE).

Agencies: **Carly Chambers** (EA - Chair), **Dermot O'Regan** (EA), **David Brunswick** (EA), **Helen Ahmed** (EA), **Nathanial Chalamanda** (SEPA).

Apologies: Rob Chaddock, Ruairi McCann, Stephen Clark & Mark Wolle.

1. Introductions

- Carly Chambers will now chair the group following hand over from Sue Stocks. David Brunswick replaces Jon Ashcroft for the EA and David Reynolds has replaced Graeme Parkin on the group for BatteryBack Plc. Terri Williams stood in for Brian Kelly from EnviroWales
- **ACTION:** EA to provide representatives with batteries contact information. Completed.

2. UK Data Summary

- The latest set of data for 2012 covering January to June shows that 14,657 tonnes of portable batteries have been placed on the UK market compared to figures of 16,443 tonnes for the same period in 2011.
- This reduction is primarily due to a decline in the amount of lead acid that has been placed on the market. In 2011 2,500 tonnes were reported compared to 1,604 tonnes in 2012.
- The average amount of Portable Batteries Placed on the UK Market by Scheme Members and Small Producers in 2010, 2011 and 2012 is calculated at 36,747 tonnes.
- This has resulted in an Indicative UK Obligation for 2012 of 9,186 tonnes.
- 6,049 tonnes of waste portable batteries have been collected in the UK towards this obligation.
- Of this tonnage 4,907 tonnes was reported as lead acid, which is higher than the 1,604 tonnes of portable lead acid placed on the UK market by Producers.
- With the figures reported in January to June the UK's collection rate for 2012 is 16.32%, over half the target for 2012 of 25%.
- Quarter 3 2012 data is due to be submitted by the end of October. This UK summary data will be published on the 1st December 2012.
- For 2012 there are 501 large producers registered with Schemes, which is a slight increase from the 486 in 2011.
- There are currently 991 small producers registered directly with the Agencies.
- There are currently 35 Approved Battery Treatment sites and 17 Approved Battery Exporters.

3. EA Regulatory Activity

- In 2011 all Schemes met compliance requirements except 1, which is no longer operating.
- The EA ran a workshop at the end of 2011 with the auditors who have undertaken Independent Audit Reports (IARs) for ABTOs and ABEs. Despite this the quality of IAR's did not improve. Removal of the requirement for IAR's has been fed into proposal for Government Coherence and Red Tape Challenge. This should address concerns raised by representatives that audits are duplicating the Agencies inspections.
- The EA inspect large treatment operators twice a year and small operators once a year. Joint audits have been undertaken by staff from the Producer Responsibility Regulatory Service team and Local Area Environment Officers. These joint visits are helping share knowledge and embed a good site based compliance model. The intention from 2013 is that Local Area Environment Officers will undertake visits once knowledge has been embedded. In respect to the Single Wales Body it is likely that audits will be transferred across to the new Single Body.
- Scheme and Approval data validation has successfully and consistently been achieved across the regime. This is likely due to small number of operators within the regime in contrast to WEEE.
- Our producer audits are focusing on scope around portable, industrial and automotive batteries. All Producer visits are risk profiled and we aim to audit 10% of all EA Producers. These visits are helping to identify the performance of Schemes.
- Focus has also been placed on auditing Schemes given their responsibility for validating batteries data. All Schemes have been visited.
- ABTO & ABE visits have focused on batteries protocols and validating data.

4. SEPA Regulatory Activity

- SEPA do not have any Schemes but have 26 Producers.
- Producer audits have focused on combining visits where Producers are also registered under other Producer Responsibility regimes. 6 producer audits have been undertaken.
- There are 3 ABTO's and 2 audits have been undertaken.
- SEPA are being reactive to freerider requests if identified by industry.

5. Update on Producer Responsibility Coherence, Red Tape Challenge and changes to the Waste Batteries Regulations

- Government have committed to reviewing Producer Responsibility Regulations, Red Tape Challenge and Coherence. The aim is to reduce cost and burden on industry. Engagement with stakeholders and consultation documents have been circulated. A recent workshop was held in September with industry and a public consultation is expected in December.
- Coherence is looking at the best areas of each Producer Responsibility regime to see if they can be applied across the board. 31 areas have been proposed for review. A Coherence document was sent out by DEFRA to industry stakeholders.
ACTION: Coherence document to be circulated. Completed.
- **ACTION:** Terri Williams to be provided with contact details for DEFRA. Completed.
- The review of the Batteries Regulations is looking at reducing burden on businesses and has identified 13 areas for review.

- The Red Tape Challenge for Batteries has identified 1 area for review, which will look at the possibility of exempting more businesses from Regulations without reducing recycling rates.

6. Lead-acid Batteries – Current Operational Issues

- The quantity of lead acid batteries placed on the UK market is decreasing but the treatment of waste lead acid batteries has increased. EA auditing has focused on protocols used by ABTO's and ABE's and ensuring operators understanding of what is a portable and industrial/ automotive battery is correct. This work has not identified any issues with the application of protocols.
- There are concerns of a mismatch between the Producers and the waste industry on the classification of batteries. This was considered an urgent problem by the group. It is believed that other European countries such as France and Belgium consider anything over 1-2kg as industrial and anything below as portable. A weight limit may help remove inconsistencies, however ultimately it was more important that everyone takes a consistent approach.
- There were concerns raised that there may be freeriders who have classified their batteries as industrial rather than portable. Freerider work is currently not funded by our charges as there was no perception of this being a problem.
- Industry can report freeriders anonymously via our free phone hotline on 0800 023 2090 or by emailing the Producer Responsibility Regulatory Service team at batteries@environment-agency.gov.uk.

ACTION: EA to liaise with other Agencies and look at the work they can do to help the lead acid issue raised. On-going.

ACTION: EA to organise a lead acid telecom in a months time to discuss progress with group. Completed on 23/11/12. A document has been presented to Defra and BIS.

ACTION: EA to circulate freerider contact route. Completed.

7. Battery Compliance Scheme Forum Update - Current Operational Issues

- All Schemes were thought to be in favour of joining the forum.
- The forum provides a good opportunity to get all Schemes together.
- The forum may potentially look at improving performance around transport, H&S and lead acid batteries.
- It was suggested that it may be useful for the forum to contact other Schemes based in Europe.

8. International Congress for Battery Recyclers Update - Current Operational Issues

- Similar issues are being experienced across Europe with the health and safety implications of lithium batteries in collections. It was thought that guidance would be beneficial in this area.

ACTION: David Reynolds to raise this with the Battery Compliance Scheme Forum. On-going.

9. Recycling Efficiencies – Current Operational Issues

- Recycling efficiencies legislation was published on the 11 June 2012. Operators would be expected to use these methodologies for the 2014 compliance year and report by the 30

April 2015. The recycling efficiencies are by process and there was concern about the efficiencies required for Lithium batteries.

- G&P are trying to get an indication from recyclers what efficiencies they achieve based on the European recycling efficiencies guidance. There was concern that recyclers may not report this information to ABTOs/ABEs if requested. It was unclear how recycling efficiencies should be checked by independent auditors.

ACTION: EA to raise industry concerns with DEFRA about meeting and reporting recycling efficiencies. Completed.

ACTION: Agencies to consider when translating into their regulatory process for 2015. On-going.

10. Future Meetings, Representation & Agenda Items

- The Agencies will consider widening the group to provide greater industry representation.
ACTION: David Reynolds to go back to the Scheme Forum to see if there is any further interest for more Scheme representation. Completed.
ACTION: EA to look into widening AIBOLG forum for ABTOs and ABEs.
- The next telecon will be in a month's time to review the concerns raised around lead acid batteries.
- It was agreed that the group should meet on a quarterly basis. The group thought it would be beneficial to have two face to face meetings and two telecoms a year.
ACTION: Group to think about additional topics for future meeting.

11. AOB

WEEE draft guidance about BATTRT

- Concern raised by a representative about the new draft guidance, which requires battery removal prior to treatment. Other representatives thought should be removed prior to treatment without damaging them. It was suggested for health & safety and environmental reasons that it would be better to remove batteries prior to treatment.
ACTION: EA to circulate draft BATTRT guidance to ensure we capture input on the guidance from the Batteries sector. Completed
ACTION: David Reynolds to look into joint input from Batteries Scheme Forum on this document. On-going.

Guidance on EA website

- Some batteries guidance on the EA website is out of date. The website is currently being updated and this will be corrected. Representatives from the group agreed that they would help with testing future guidance.
ACTION: EA to remove out-of-date guidance. On-going.