

AIBOLG
Agencies' and Industry Batteries Operational Liaison Group

07th Sep 2011

Hosted by Environment Agency
Telecon

Attendees

Industry: R Chaddock, S Clark, M Green, G Parkin.

EA: S Stocks, C Grove, D O'Regan, C Chambers, J Ashcroft, L Hatton.

SEPA: N Chalamanda

NIEA: G Evans

1. Introductions

Chris Grove and Dermot O'Regan Environment and Business EA Batteries representatives in replacement of Bob Mead

2. Metrics and Regulators Activity

2.1 2010 UK Data

- We have accepted 5 Declarations of Compliance (DoC) which declared schemes had met their 2010 obligations.
- We have accepted 1 DoC which declared the scheme had not met their 2010 obligation.
- As the scheme could not evidence sufficient collection of waste portable batteries we are taking enforcement action, which has resulted in us serving a notice to remove scheme approval.
- The scheme has lodged an appeal to this decision with Defra, therefore we are not in a position to publish the final 2010 data until we understand the outcome of this appeal.

This raised the following questions:

- What will be the implications for their members and other compliance schemes if their appeal is lost?
 - It was explained that there were provisions in the regulations for this, in that there are timelines set for the members to join another scheme or form a scheme of their own.
- What happens to the batteries and evidence collected by the scheme.
 - Again it was explained that there were provisions in the regulations for this in that the evidence collected by the scheme would be split proportionally between each of its members for in order to put towards either meeting their own obligation or to take to their new scheme.

2.2 2011 UK data

- The latest set of submissions show they have placed 45,057 tonnes on the market in 2009. This is down from 45,363 tonnes due to routine Scheme data validation and reconciliation.
- The finalised 2010 data shows 42,941 tonnes were placed on the market by large producers. Whilst this is more than 2,000 tonnes down on the previous year, it is much more than the figure we

reported at the last meeting which was calculated from extrapolating out the first three quarters of 2010.

- Just over 189 tonnes of portable batteries were reported as placed on the market by small producers in 2010, which shows a significant increase from the 123 tonnes reported for 2009.
- 2011 year-to-date figures (Q1 to Q2) for portable batteries placed on the market are 16,850 tonnes, compared to 18,590 tonnes in the same two quarters last year. Extrapolated over the full year would be 33,700 tonnes. Obviously this indicates a decline on last years data. However from the previous data it is clear that more are placed on the market in the second half of the year.
- For 2011 we now have 459 obligated producers in the UK, up from 443 in 2010.
- The number of small producers reporting data has gone from 695 in 2009 to 790 in 2010 and is now 852 in 2011.
- Year-to-date figures (Q1 to Q2) shows that schemes collected 3,447 tonnes of waste portable batteries, which is just under to 44% of the schemes' indicative obligation of 7,919 tonnes. This indicates that at Q2 we are slightly behind where some of the schemes have stated they will be in their viable plans. We have been in discussion with these schemes and those we have spoken to have assured us that they have systems in place to address this issue.
- Of the scheme collections 3,397 tonnes has been reported as delivered to ABTOs/ABEs, indicating there is a slight lag of 50 tonnes between collections and deliveries. Which is a large improvement on the position last compliance period.
- At Q2 there were 17 ABTOs and 16 ABEs approved by the agency and they reported they had received 3,397 tonnes of waste portable batteries, matching the scheme data.
- This shows an increase in the number of ABTOs of 6 from last AIBOLG meeting and a further increase in the number of treatment/export sites rising from 16 to 30.

2.2 EA Activity

In addition to the ABTO and ABE approvals for 2011 we have also:

- Audited 4 of the 6 schemes.
- Carried out a programme of ABTO and ABE site inspections and audits. PRRS used the outcomes from desktop monitoring of data returns and approval application assessment to prioritise. We carried out some of the visits with Area colleagues and worked together to monitor the sites as part of a handover process. Going forward this work will now be carried out by them.
- We have risk profiled the large producers centrally in PRRS and given our Area colleagues a list of 45 producers we would like visited for this compliance period.
- Routine desktop monitoring of data returns matching scheme vs. ABTO/ABE data has been carried out for Q1 and Q2 data.
- Assessed the Declarations Of Compliance.

- Assessed Independent Audit Reports from ABTOs and ABEs.

2.3 EA Forward look

- 2012/13/14 Operational Plan assessment as part of the ongoing approval process. (Plans from all six schemes received by the deadline.)
- Preparing for the ABTO and ABE approvals process. Deadline for submitting if they wish to be approved for the start of 2012 is 30th September.
- Q3 data returns due by the end of October and data published on 1st December, followed by the desktop monitoring. At this point we will be hoping to see that collection rates have improved.
- Carry out the final two scheme audits by the end of November

2.4 SEPA Activity & Forward look

As of September 2011 SEPA has the following:

- 23 producers registered for portable batteries and out of these
 - 2 are industrial batteries and
 - 1 is industrial and automotive.
 - 19 are direct registrants, 4 registered with compliance schemes for portable batteries
- 3 Operators approved for:
 - 2 industrial and automotive ABTO site and
 - 4 Portable ABTO sites and
 - 1 ABE

SEPA's main activities so far are:

- desktop monitoring of the ABTO returns
- risk profiled the large producers to determine auditing and compliance monitoring
- have identified and plan to audit 2 producers for 2011
- planning to process approvals for 2012 between October and December and are expecting similar numbers to 2011.
- undertaking producer free rider work on the back of other Producer Responsibility audits (e.g. WEEE / Packaging) to save time and resource.

2.5 NIEA Activity & Forward look

- NIEA currently has 1 ABE, ENVA. They have recently had a spot check which assessed onsite documentation against regulatory requirements (TFS) and what their ABE application stated. No issues were found. They have been issued with a reminder to submit their ABE application by 30th September should they wish to export batteries in 2012.

- Another prospective ABE has also been contacted to inform them of the requirement to have an application submitted by 30th September should they wish to export batteries in 2012.

3. Regulatory & Technical Issues

3.1 Recovery and Recycling Efficiencies Update

Dermot explained that whilst we were ready to publish a position statement on our future activity around recycling efficiencies, we had put it on hold as Defra had sent a note containing further information. Once we have any further details we will send out a communication to all concerned and possibly publish a revised position statement.

Action: PRRS to send out a communication to explain current position and once we have more clarity on what is required E&B to publish position statement. D O'Regan

3.2 Education and Awareness Initiatives

An update was provided on the development of education and awareness programmes for schools by Steve Clark who explained that Budget Pack is looking to develop a common education and awareness initiative which can be backed by the compliance scheme industry and ensures that all schools have access to battery recycling in a consolidated and well supported manner. Steve indicated that he intended that the operational arrangements between schemes for collection and tonnage distribution will be able to be handled separately so as to not impede on the progress for school sign up and engagement. Steve Clark will provide a further update at the next meeting.

4. AOB

4.1 H&S Update following the Defra Portable Batteries Stakeholder Group (DPBSG) Meeting

Michael Green gave an update on the findings presented by a representative from the Health and Safety Laboratory at the last DPBSG. They demonstrated that under laboratory conditions they can cause a button cell battery to explode. However, it is not instantaneous and takes approximately 30 to 60 minutes. So far they have only been able to replicate this issue with a button cell battery. Michael went on to say that EBRA have also started to collate all the batteries related incidents from across Europe, and that there is growing discussion about the transport of Li-ion batteries.

Action: Industry to continue to collate statistics, and feed them back to the Defra Portable Battery Stakeholder Group. This to be done by the next meeting. Industry Members.

4.2 NPWD operation across compliance years

Steve Clark raised a query around this on behalf of another scheme. Because of the technical nature of the question it was decided that this query would be resolved outside this meeting, and if it was of wider interest the outcomes would be shared through a wider communication.

Action: Louisa Hatton to contact Steve Clark to discuss the query over NPWD operation and to share outcome in separate communication if appropriate. L Hatton

4.3 Mitigation for failing to meet obligation

A question was raised about an enforcement update and the impact on the system following the recent fire at Loddon.

Carly Chambers stated that AIBOLG was not the forum for discussing individual company issues. Rightly or wrongly we interpreted this query to have originated due to concern about batteries collections targets being affected. As with any event where collections have been compromised, mitigation will always be considered and balanced with our intelligence, however companies must continue to do all they can to meet their obligations.

4.4 Batteries Recycling resources

Michael Green brought to the attention of the group a report published by the European Batteries Recyclers Association on the possible lack of resource for recycling batteries in Europe in the future, following the closure of a second battery treatment operator in France. Michael went on to say that it may not be immediate problem for 2011 and 2012 but may be an issue going forward. As the targets increase it could become an increasing problem and among other issues could lead to a significant increase in recycling and treatment costs.

5. AOB

5.1 Future AIBOLG Meetings

It was decided that the next meeting would be in mid March 2012 unless ad hoc meeting was called before.

Action: Jon to agree date and communicate to all members.

J Ashcroft

Sue Stocks went on to say that as it was becoming clear that Batteries regime was working well and there were few high level concerns raised at the AIBOLG meetings than at the others, she intends to hand over the chair of this meeting to Carly Chambers.