

AIBOLG
Agencies' and Industry Batteries Operational Liaison Group

02 Feb 2011

Hosted by G&P Batteries
Wednesbury

Attendees

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

EA: S Stocks, B Mead, C Chambers, J Ashcroft, H Ahmed.

SEPA: N Chalamanda

1. Introductions

2. Metrics and Regulators Activity

2.1 UK Data

Carly- Explained that the Q4 data had just been received on Monday (31/01/2011) so all observations are based on Q3 data published on 01/12/2010

- 437 producers reporting data for 2009 & 2010
- They have placed 45,363 tonnes on the market in 2009 this is down from 47,000 tonnes due to routine Scheme data validation and reconciliation
- 119 tonnes placed on the market by small producers – slight fluctuations due to small producers, going over the 1 tonne de minimis and registering with schemes
- 2010 year to date figures for Batteries Placed on the Market are 29,268 tonnes in Q1 to Q3, which extrapolated over the full year would be 39,024 tonnes therefore indicating a possible decline on last years data. However Michael stated that the general feeling within industry is that Q4 is the busiest quarter so decline may not be as significant as it looks at present.
- We now have figures for the 2011 producer registration showing that 412 obligated producers, differences to 2010 data being 29 producers left schemes together with 6 new members. The reasons for the 29 leavers will be verified over the upcoming quarters by PRRS.
- The number of small producers reporting data has gone from 695 in 2009 to 790 in 2010 and is now 773 in 2011.
- Year to date figures (Q1 to Q3) shows that schemes collected 3408 tonnes of waste batteries, which is equivalent to 75% of the 4536 tonnes scheme obligation. This indicates that at Q3 we are on track to meet the 2010 target.
- However only 2786 tonnes has been reported as delivered to ABTO/ABEs indicating there is a time lag between collections and deliveries.
- At Q3 there were 11 ABTOs and 16 ABEs approved by the agency and they reported they had received 2786 tonnes, matching the scheme data.

- For 2011 we have so far approved 11 ABTOs and 15 ABEs. However the number of sites for ABTOs has risen from 16 in 2010 to 22 in 2011)

2.2 EA Activity

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

- Visited all six schemes
- Started a programme of ABTO and ABE site inspections and audits. PRRS have started the programme using the outcomes from desktop monitoring of data returns and approval application assessment to prioritise. We will handover to Environment Officers in 2011 and we will work together to monitor sites and operators.
- We have reviewed the 2011 notifications of Scheme members submissions
- Routine desktop monitoring of data returns matching scheme vs. ABTO/ABE data
- Routine desktop monitoring, as compliance year closes, of evidence vs. the obligation of schemes.

2.3 EA Forward look

- Ongoing small producer data submissions for 2010
- Analysis and investigation of scheme leavers for 2011
- Q4 data returns and UK summary data to be published on 28/02/2011
- We will confirm 2010 final obligation to schemes on 31/03/2011
- Desktop monitoring of evidence transfers (February to May)
- Monitoring projected compliance – leading to DoC deadline 31/05/2011
- Industrial and Automotive ABTO/ABE annual returns
- Independent Audit Reports must be submitted by the 31/05/2011
- Publishing the amount of waste batteries collected in 2010 by each scheme, together with the amount of batteries placed on the market in 2009 by each of the schemes members on the 30/06/2011

2.4 Data SLA

Carly distributed a copy of the 2011 Batteries Data SLA and explained how the three tables cover what has to be done in 2011 for the 2010, 11 and 12 Compliance years respectively.

All industry members fed back that the document was useful to understand what they and the Agencies were required to do.

Action: Email all Customers to notify them of the publication of the 2011 Data SLA, and ask for feedback of how it could be further improved Jon

Action: Check all communications are clear which compliance year the communication they are referring to. Jon

Michael asked about the ABTO/ABE approvals duplicating the documents required year on year. Helen stated that this shouldn't be the case and each year you should only need to input information that changed from previous submissions or providing new documentation or permits which would have expired in the previous year.

Bob said this is the process at the moment, but this is still new to us. It may be we are asking for more info this year than the previous year. This may continue for the next few years whilst the regulations become embedded.

Action: Provide feedback on problems with Submissions for ABTO/ABE Approvals
Helen

2.5 SEPA Activity & Forward look

- SEPA received one new application for approval to be an ABTO in 2011
- The ABTO they had approved in 2010 has withdrawn for 2011-02-15
- They have also had companies show interest to be approved to become a Batteries Scheme, however none of them have actually completed the process.
- SEPA also investigating and trying to bring a couple of treatment operators into compliance, who they feel should be registered.

2.6 NIEA Activity & Forward look

- NIEA have approved one ABTO for 2011
- They have also been carrying out Free rider investigations. One of the tools they have been using is looking on the WEEE register and ensuring all those who should be registered for batteries had done

3. Regulatory & Technical Issues

3.1 WMP11 – Application and Guidance

The intension is to streamline the document to be more focused on what the customer actually needs to know and do, where previously the document provided much more background. We are also planning to incorporate NPWD08, which is the FAQ document for using NPWD for making applications.

Planning to have first draft of this document by the end of February to middle of March 2011.

3.2 GN07 – To include Classification of Waste Batteries

At the moment GN07 only covers the issuing of evidence. However we have issued various FAQs and notes re. treatment, sorting, acceptance, reporting protocols, sent as attachments and are not available online or on NPWD. Therefore we are planning to incorporate everything into one document.

Following the feedback received at the Batteries Day we have produced the first draft of Classification of Waste Batteries, which we also plan to include in the GN07 document. If people feel they would be useful then could we have example photos of the different types of batteries to be included in this document. First draft of this document by the end of March 2011.

3.3 Audit Guidance

Bob explained that this first draft had been based on the WEEE guidance. Due to the size of the regime it was felt that this first draft of the guidance could be shared with all those effected by this regulation. However due to the upcoming deadline for submission of the Audit Report (31 May 2011) it would all need to be carried out relatively swiftly. Deadline for submitting feedback is 18th February.

ABTOs and ABEs only approved for Automotive and Industrial Batteries will not have to submit Internal Audit Report for 2010.

Action: Send out first draft of IAR Guidance to all ABTO and ABEs, and in the covering email indicate whether the recipient is required to provide an Audit Report, ask for feedback to come in through the Batteries Inbox. Jon

Action: Feedback on the IAR guidance to be received by 18 February 2011.
All ABTOs and ABEs

3.4 Recycling Efficiencies

Bob explained that there was still no definition as yet and no word on Recycling Efficiencies since it was last raised in September at Defra Portable Battery Stakeholder Group. This part of the regulations does not need to be complied with for 2010.

Michael had heard through a trade association that we should know by September 2011. He also asked how it would work in the 'Other' Category, if the recycling efficiency is 50% would that be for the total or would 50% efficiency need to be achieved over each of the Chemistry types.

Bob said this had not been defined yet, but UK feels this should 50% of the whole tonnage not individual chemistry types.

Michael stated that European recyclers are to propose their own answers to the recycling efficiencies problem. Bob encouraged British recyclers to do the same and present to government.

Action: Industry to make it clear to Government the urgency of resolving this issue
Industry Members

Action: Industry to feed to Government what their ideas/proposals are about Recycling Efficiencies and if possible to copy in the Agency Industry Members

Action: Ensure IWS department are aware of possible increase in workload in September due to the confirmation of Recycling Efficiencies Helen

3.5 Feedback on the first Year

Michael and Rob – Said they were surprised at how well collections were picking up, which is good sign for next years increased targets.

Steve and Graeme both agreed that whilst they were both pleased how the first year had gone, the next step would be to try and address the marketing and awareness campaign in order to meet the growing targets. Steve added this would require a culture change amongst the schemes in order for them to work together on this.

4. Regulatory & Technical Issues

Carly discussed how we were proposing to alternate the Batteries and Packaging OLGs to every other quarter whilst maintaining the quarterly AIWOLG. Where possible the OLGs would also be held on consecutive days to try and reduce travelling for those who attend all the OLGs. The feedback from both the Batteries and Packaging OLGs indicated that quarterly meetings were not necessary and if any issues should arise between the meetings, they could be dealt with via a telecom. However it was felt there were still sufficient issues arising within the WEEE regime to warrant quarterly meetings for the AIWOLG.

Carly proposed that next AIBOLG meeting date to be 7th September 2011 and to be held in London, venue to be confirmed nearer the date.

5. AOB

Sue discussed that the agency had received feedback from other members from the industry that they felt that their issues were not been represented and they were not consulted on Agenda items. Both Schemes said that they had been in contact with the other schemes and were happy to feedback or seek input from others in the future. Michael and Rob agreed that they also probably had more contact with the schemes rather than their colleagues who were ABTOs/ABEs however both agreed to seek input in the future.

Action: Add ICER onto the mailing lists for all future communications and include them on the Agenda requests. Jon

Citron - is no longer operating and the French authorities have contacted all the companies who export there to stop all shipments. There may need to be repatriation of batteries but we (IWS) will be contacted by the French authorities if this is required. We're aware of the companies concerned and any issues and have kept the TFS team up-to-date regarding this

Charges - Bob said that following the consultation on charges there had been no adverse comments to the Agencies suggested reductions. Therefore the proposals were likely to go ahead and would take effect from April 2011.

Safety - Michael raised concerns again over safety issues. He had collated a number of news articles together with an actual battery, and bag it had been stored in, that had exploded. Michaels findings indicated that the problems were all with Button Cell Batteries. Michaels concerns, which were supported by the other industry members, were that these stories could be extremely damaging to the distributor take back scheme. Some distributors who have had problems are seriously considering removing collection boxes from the shop floor, and there is some confusion being caused by Fire Inspectors classing batteries boxes as fire hazard.

Bob, reiterated that he had passed on the comments from the Batteries Industry, raised at the Agency Batteries day in September and asked Government to produce some guidance. However we are unaware of any guidance being published imminently.

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