

K J Bray & Associates

Batteries Regulations -

The UK Implementation of the
Batteries & Accumulators and Waste
Batteries & Accumulators Directive



Directive Summary (1)



- Producer Responsibility Regulations
- Producers responsible for collection and recycling of waste batteries
- No de minimis
- Applies to all types of batteries and accumulators
- Retailers have to offer free takeback
- Transposition into MS law by 26/9/08

Directive Summary (2)



- Member States target for collection and treatment is 25% by 2012
- Use of heavy metals in batteries restricted
- Disposal by landfill or incineration of industrial and automotive batteries prohibited
- Treatment and recycling standards defined
- Different obligations placed on producers of portable, industrial and automotive batteries

UK Position



- Current (2008) UK recovery/recycling performance is.....3%
- UK achieved full transposition on 7/4/09, coming into effect a month later
- Implemented by introduction of two regulations:
- One introduced in September 2008 covers the Internal Market Provisions of the Directive and the other implemented in April 2009) covers the Waste provisions
- Enforced by the Environment Agency in England & Wales

Definitions



- ‘Portable battery or accumulator’ means any battery, button cell, battery pack or accumulator that:
 - is sealed; and can be hand-carried; and
 - is not an industrial or automotive battery or accumulator
- ‘Industrial battery or accumulator’ means any battery or accumulator designed for exclusively industrial or professional uses or used in any type of electric vehicle;
- ‘Producer’ means
 - UK manufacturers of batteries placed on the UK market;
 - Private label owners
 - Uk Equipment Manufacturers, if products include batteries when placed on the market
 - Importers of batteries (or products including batteries) placed on the UK market
- ‘Small Producer’ means a producer of portable batteries placing less than 1 tonne of batteries on the market per year
- ‘Distributor’ means a person who sells more than 32 kg per year of portable batteries to end-users

Prohibitions



- All batteries or accumulators, including those incorporated into appliances, that contain more than 0.0005 % of mercury by weight; except to button cells which can contain mercury up to 2 % by weight
- Portable batteries or accumulators, including those incorporated into appliances, that contain more than 0.002 % of cadmium by weight with some exceptions

Labelling Requirements



- All batteries should be marked with the crossed-out wheeie bin symbol
- The size of the wheeie bin symbol is prescribed in detail
 - must cover at least 3 % of the area of the largest side of the battery up to a maximum size of 5 × 5 cm. In the case of cylindrical cells, the symbol shall cover at least 1.5 % of the surface area of the battery and shall have a maximum size of 5 × 5 cm.
 - Where the size of the battery is such that the symbol would be smaller than 0.5 × 0.5 cm, the battery need not be marked but a symbol measuring at least 1 × 1 cm shall be printed on the packaging.
- The capacity of all portable (and automotive batteries) should be indicated on them
- Batteries containing more than 0.0005% mercury, more than 0.002% cadmium or more than 0,004% lead, shall be marked with the chemical symbol
- Symbols shall be printed visibly, legibly and indelibly.

Compliance Requirements (1)



- All producers will have to register with an appropriate authority, and provide data on batteries sold
- Battery collection, treatment and recycling has to be arranged and financed, in accordance with producers' market share.
- End users must be able to discard waste portable batteries at an accessible collection point in their vicinity.
- A publicity campaign has to be established and run in order to raise consumer awareness
- Distributors will be required to take back waste portable batteries and producers will need to provide for collection, treatment and recycling of these batteries

Compliance Requirements (2)



- All producers placing more than 1 tonne of batteries on the market per year have to register with a compliance scheme which will take on the above responsibilities
- All small producers have to register with the appropriate authority every year
- Data on battery sales have to be submitted by producers (to the scheme or authority) every quarter
- Distributors of batteries have to provide free take-back facilities at all places they supply batteries to end-users

Additional requirements for producers of equipment containing batteries



- Equipment cannot be placed on the market if it is “designed in such a way that a waste battery cannot be readily removed from it”
- Producers shall ensure that that equipment containing a battery is accompanied when sold by removal instructions
- Exemptions to these requirements are allowed in certain cases
- These instructions should also specify who, in the view of the manufacturer, the best person to safely remove the battery is.

What's the cost?



- Small (< 1 tonne) producers - £30 EA registration
- Large (> 1 tonne) producers...
 - £680 EA registration
 - CS Membership fee £560 - £2000
 - Collection and Treatment charges
 - Less than 1p per battery sold
 - £400 per tonne collected and treated
 - £1000 per tonne + 2p/kg of batteries sold

Overall Impact



- For large producers it is estimated that the total impact will be around £1000 per tonne of batteries collected and treated.
- This equates to less than 1p per battery.
- However, pity the poor small producer.. He could be paying £100,000 per tonne!