

Regulatory position statement

Battery recycling efficiencies

Background

The Waste Batteries and Accumulators Regulations 2009 set out a requirement for treatment operators who are approved under these Regulations - Approved Battery Treatment Operators (ABTOs) and Approved Battery Exporters (ABEs) - to meet certain recycling efficiencies for lead acid batteries, nickel cadmium batteries and other waste batteries. The Regulations state that ABTOs/ABEs are required to achieve these recycling efficiencies no later than 26th September 2011 and report them to us by 31st May 2012.

However, a draft European Commission Regulation establishing detailed rules regarding the calculation of the recycling efficiencies has only recently been agreed in Europe. The text of this Regulation is still subject to scrutiny by the European Parliament and the Council but is expected to apply from 1st January 2014. This Regulation will require that all waste battery recyclers (including those who are not ABTOs/ABEs) send their first annual reports to us no later than 30th April 2015. The Commission will draw up guidance to support practical implementation of the new Regulation, and note that operators will need at least 18 months to adapt their technological processes to the new recycling efficiencies calculation requirements.

Our approach

We will not take any action against ABTOs/ABEs unable to provide evidence of recycling efficiencies being achieved before the deadline set out in the new Commission Regulation (expected to be 30th April 2015).

We will confirm with recyclers when the new requirements apply along with details of arrangements for them to provide the required information to us and any related guidance.

ABTOs and ABEs must, however, continue to ensure that batteries they receive are treated and recovered.

This regulatory position will be reviewed once the draft European Commission Regulation becomes final.

MWRP RPS 115 Version: 2
Issued: March 2012