

# UK Batteries Regulations



## Portable Batteries

V2 Aug 2009

### Overview

The **UK Batteries Regulations 2009** have been transposed from the **EU Batteries Directive** and place a responsibility on those that **place more than one tonne** a year of portable batteries on to the UK market to contribute to the costs of collection and recycling. Starting from **1 January 2010**, these companies – known as 'producers' – must be registered with approved compliance schemes which will take responsibility for collecting spent portable batteries in order to meet targets set by government. All **producers** that place **less than one tonne** on the UK market **must also register**, but through one of the environmental Agencies rather than a scheme. 'Producers' include those that supply batteries in a product.

**Retailers** also have a responsibility and those that **sell more than 32kgs a year** to both businesses and the public must provide **free take back** facilities for their customers from 1 February 2010. They are then entitled to free collection from the compliance schemes, but batteries must be stored and transported under specific constraints as mixed portable batteries are considered to be both hazardous and dangerous. **32kgs = approximately 24 AA batteries per week.**

### Definitions

**Portable Batteries** are considered to be those that are sealed, capable of being carried by hand and are NOT automotive or industrial batteries. They include torch batteries of all sizes, button batteries, and mobile phone, computer and any other purpose designed battery.

**Producers** are businesses that manufacture or import batteries (other than for own use) including those that import batteries in products.

**Retailers** are those that sell loose batteries (not in products) to businesses or the public by direct sales or through indirect means such as online or by mail order.

### Specific Requirements

- **By 15 October '09**, existing '**large**' **producers** (>1 tonne onto the market) must register with a Compliance Scheme.
- **By end October '09**, **Compliance Schemes** must register their members with the Agency.
- **By 12 November '09**, existing '**small**' **producers** must register with an environmental Agency.
- **From 1 January '10**, Schemes must **start to pay** for any collected batteries to be treated and recycled.
- **From 1 February**, any retailer selling more than 32kgs a year of batteries to businesses or the public must offer their customers free take-back of any portable battery regardless of origin.
- **By end January '10**, all producer's data for batteries placed on the UK market in 2009 (from at least 5 May) must be supplied to the environmental Agencies, either direct for small producers or through Schemes for large. Data includes chemistry type by weight.
- **In April '10** and then quarterly, Schemes must supply data for what their members placed on the market in the previous quarter to the environmental Agencies.
- **At the end of each year**, Schemes must demonstrate to the environmental Agencies that they have collected sufficient batteries in the previous year to meet the target set by Government.
- **As a condition of approval**, Schemes must organize and finance public information and education campaigns.

### What will be the costs?

- For **large producers** annually, a share of a Scheme's £118k EA fee plus a £680 Agency fee plus a membership fee plus costs associated with market share.
- For **small producers**, an annual £30 registration fee with the Agency.
- For **retailers**, there should be no costs as Schemes should pay for collection from their premises.

### Targets

The EU Directive requires Member States to achieve collection rates of 25% by the end of 2012 and 45% by 2016. The UK currently collects around 2-4%. The Government has therefore set targets for Schemes (and therefore large producers) of:

10% in 2010	35% in 2014
18% in 2011	40% in 2015
<b>25% in 2012 – EU target</b>	<b>45% in 2016 – EU target</b>
30% in 2013	

From 1 Jan 2010, all collected batteries must go to Approved Battery Treatment Operators and from 2011, all collected batteries must meet specific recycling targets.

## Storage and Transport

Mixed waste portable batteries are considered both hazardous and dangerous, thereby requiring storage and transport under the Hazardous Waste Regulations and the Carriage of Dangerous Goods (ADR) requirements.

Defra have issued Guidance which clarifies the requirements:

- Up to 80kgs of batteries may be stored in a location without making a notification or paying a fee.
- A collection vehicle carrying over 333kgs of batteries must operate *under full ADR*. Those carrying less can operate under a reduced ADR, but must still have drivers that have undergone training and ensure batteries are transported in closed and marked containers
- Mixed batteries *cannot be transported by air* and Defra have advised that spent batteries should therefore not be sent through the post.  
Spent batteries must be collected as Hazardous (or Special in Scotland and NI) Waste. They must therefore be accompanied by consignment notes and the appropriate charges although in England and Wales, there is *only one consignee charge per quarter*.
- Where a site has *more than 500kgs* of hazardous waste a year including mixed batteries, they must be registered as a hazardous waste producer.

## Industrial and Automotive Batteries

### Definitions

An **industrial battery** is designed exclusively for industrial or professional uses, is used as a source of power for propulsion in an electric or hybrid vehicle, is unsealed but is not an automotive battery or accumulator; or is sealed but is not classified as a portable battery.

An **automotive battery** is a battery of any size or weight that is used for the starting or ignition of the engine of a road going vehicle or for providing power for any lighting used by such a vehicle.

### Requirements

**By 16<sup>th</sup> October '09**, all producers (including those that import batteries in vehicles) must register with the Department of Business, Innovation and Skills. (if also a Portable Batteries producer, only need to register with an environmental Agency).

**From 1 January '10**, producers must provide free take-back.

**By end March '10** and then annually, producers must supply tonnage and chemistry data to DBIS on batteries placed on the market and waste batteries taken back in the previous year.

*Due to the value and hazardous nature of I&A batteries, there is not expected to be much change from existing practices.*

### Further information

As well as finding more information on the [www.360environmental.co.uk](http://www.360environmental.co.uk) website, you can [subscribe](#) to a free newsletter through the site which will keep you up to date with developments.

You can also find further information at the following websites:

**Defra** - [www.defra.gov.uk/environment/waste/topics/batteries/index.htm](http://www.defra.gov.uk/environment/waste/topics/batteries/index.htm)

**Environment Agency** - <http://www.environment-agency.gov.uk/business/regulation/101529.aspx>

**DBIS** - <http://www.berr.gov.uk/whatwedo/sectors/sustainability/batteries/page30610.html>

**SEPA** - [http://www.sepa.org.uk/waste/waste\\_regulation/producer\\_responsibility/batteries.aspx](http://www.sepa.org.uk/waste/waste_regulation/producer_responsibility/batteries.aspx)

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