

The Environmental Protection Agency
HOW TO COMPLY WITH THE BATTERY REGULATIONS¹

A GUIDE FOR
Producers of Batteries

¹ Waste Management (Batteries and Accumulators) Regulations 2008 (S.I. No. 268 of 2008) and the Waste Management (Batteries and Accumulators) (Amendment) Regulations, 2008 (S.I. 556 of 2008)

Environmental Protection Agency

The Environmental Protection Agency (EPA) is a statutory body responsible for protecting the environment in Ireland. We regulate and police activities that might otherwise cause pollution. We ensure there is solid information on environmental trends so that necessary actions are taken. Our priorities are protecting the Irish environment and ensuring that development is sustainable.

The EPA is an independent public body established in July 1993 under the Environmental Protection Agency Act, 1992. Its sponsor in Government is the Department of the Environment, Community and Local Government.

OUR RESPONSIBILITIES

LICENSING

We license the following to ensure that their emissions do not endanger human health or harm the environment:

- waste facilities (e.g., landfills, incinerators, waste transfer stations);
- large scale industrial activities (e.g., pharmaceutical manufacturing, cement manufacturing, power plants);
- intensive agriculture;
- the contained use and controlled release of Genetically Modified Organisms (GMOs);
- large petrol storage facilities;
- waste water discharges.

NATIONAL ENVIRONMENTAL ENFORCEMENT

- Conducting over 2,000 audits and inspections of EPA licensed facilities every year.
- Overseeing local authorities' environmental protection responsibilities in the areas of – air, noise, waste, waste-water and water quality.
- Working with local authorities and the Gardaí to stamp out illegal waste activity by co-ordinating a national enforcement network, targeting offenders, conducting investigations and overseeing remediation.
- Prosecuting those who flout environmental law and damage the environment as a result of their actions.

MONITORING, ANALYSING AND REPORTING ON THE ENVIRONMENT

- Monitoring air quality and the quality of rivers, lakes, tidal waters and ground waters; measuring water levels and river flows.
- Independent reporting to inform decision making by national and local government.

REGULATING IRELAND'S GREENHOUSE GAS EMISSIONS

- Quantifying Ireland's emissions of greenhouse gases in the context of our Kyoto commitments.
- Implementing the Emissions Trading Directive, involving over 100 companies who are major generators of carbon dioxide in Ireland.

ENVIRONMENTAL RESEARCH AND DEVELOPMENT

- Co-ordinating research on environmental issues (including air and water quality, climate change, biodiversity, environmental technologies).

STRATEGIC ENVIRONMENTAL ASSESSMENT

- Assessing the impact of plans and programmes on the Irish environment (such as waste management and development plans).

ENVIRONMENTAL PLANNING, EDUCATION AND GUIDANCE

- Providing guidance to the public and to industry on various environmental topics (including licence applications, waste prevention and environmental regulations).
- Generating greater environmental awareness (through environmental television programmes and primary and secondary schools' resource packs).

PROACTIVE WASTE MANAGEMENT

- Promoting waste prevention and minimisation projects through the co-ordination of the National Waste Prevention Programme, including input into the implementation of Producer Responsibility Initiatives.
- Enforcing Regulations such as Waste Electrical and Electronic Equipment (WEEE) and Restriction of Hazardous Substances (RoHS) and substances that deplete the ozone layer.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.

MANAGEMENT AND STRUCTURE OF THE EPA

The organisation is managed by a full time Board, consisting of a Director General and four Directors.

The work of the EPA is carried out across four offices:

- Office of Climate, Licensing and Resource Use
- Office of Environmental Enforcement
- Office of Environmental Assessment
- Office of Communications and Corporate Services

The EPA is assisted by an Advisory Committee of twelve members who meet several times a year to discuss issues of concern and offer advice to the Board.

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Section 1: Introduction



This guide is published by the Environmental Protection Agency (EPA), and is aimed at assisting producers of Batteries to comply with the Batteries and Accumulators Regulations (2008). Under the *Battery Regulations*, Producers have the option to either self-comply or join an approved compliance scheme (see Section 4 for more information). Reliable batteries and accumulators are fundamental for the safety of many products, appliances and services, and are an essential energy source in our society. They do however contain many hazardous substances particularly metals. Because of this it is important that waste batteries are collected and treated to recover these metals to prevent these metals making their way into the environment. To this end, the EU Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators was adopted. The Directive was implemented in Irish law by the Waste Management (Batteries and Accumulators) Regulations, 2008 (S.I. No 268 of 2008), which entered into force on 26 September 2008.

Section 2: Who is a battery producer?



The Battery Regulations are a Producer Responsibility Initiative (similar to WEEE, RoHS, packaging, end of life vehicle and tyres) whereby the person who places the product on the Irish market has responsibility for financing the collection, storage, recycling and treatment of the product when it becomes waste.

Any reference to the term “batteries” in this guidance document means both batteries and accumulators (i.e. rechargeable batteries) whether sold on their own or incorporated into a product, vehicle or electrical and electronic equipment.

2.1 Battery Types

Batteries and accumulators have been categorised into three main types;

Battery type	Criteria	Codes/applications	Uses
Portable	(a) is sealed; (b) can be hand-carried or, as appropriate; (c) is neither an industrial battery or accumulator nor an automotive battery or accumulator.	AA, AAA, D cell, C cell and button cells.	<ul style="list-style-type: none"> ■ Mobile phones, ■ Cameras ■ Remote controls ■ Torches ■ Laptops
Industrial	Designed exclusively for industrial or professional uses; Used as a source of power for propulsion in an electric vehicle; Unsealed but is not an automotive battery or accumulator; or Sealed but is not classified as a portable battery	Deep cycle, marine or traction (E.g. Golf Cart & T-105-6V battery)	<ul style="list-style-type: none"> ■ Forklift ■ Golf buggy ■ Fork lift truck, ■ Batteries for emergency back-up power supply and ■ Farm fence ■ Automatic transport vehicles (E.g. motorised wheelchairs)
Automotive	Any battery or accumulator used for automotive starter, lighting or ignition power.	Wet/dry charged (e.g. SLI -12V battery)	<ul style="list-style-type: none"> ■ Car ■ Truck ■ Buses ■ Motorcycle ■ Tractors and machinery

Section 3: Who does what?

This section provides a brief outline of the stakeholders involved in the battery regulations. A two page guide with contact details for all stakeholders is attached at the end of this guidance.

3.1 WEEE Register Society Limited

The WEEE Register Society is the national producer registration body (not for profit) and fulfils the following functions:

- Registration of Producers of batteries and Electrical and Electronic Equipment (EEE).
- Determine which categories/sub-categories batteries belong to.
- Verification of visible environmental management costs (vEMC's) for EEE and,
- Determination of market share of individual producers (WEEE Black Box reporting).

3.2 Compliance Schemes (WEEE Ireland and ERP Ireland)

There are currently two compliance schemes operating under an approval by the Minister of the Environment, Community and Local Government. They assist battery producers with responsibilities to comply with their obligations under the battery regulations. It is important to note, there is **no** distinction between business and household end users of batteries, unlike the WEEE Regulations. The requirement to register arises from the battery type supplied onto the Irish market.



3.3 Department of Environment, Community and Local Government

The Department of the Environment, Community and Local Government is the government department that makes, and where necessary amends, regulations governing the management of batteries. It also consults with stakeholders on the implementation of the regulations.

3.4 Environmental Protection Agency (EPA) & Local Authorities

The EPA and the local authorities share responsibility for the enforcement of the battery regulations. In summary, the EPA is responsible for the enforcement of producer obligations, while local authorities are responsible for enforcing distributor obligations.

Section 4: Battery Producer obligations and how to meet them

Once you have confirmed that you have producer obligations, you are required to:

1. **Register** with the WEEE Register Society Limited – note that you cannot complete registration until steps 2 & 3 below are also complied with;
2. **Report** on a monthly basis the amount of batteries placed on the Irish market by your organisation to the WEEE Blackbox;
3. **Finance** the environmentally sound management of waste arising from batteries placed on the Irish market.
 - a. Become a member of a compliance scheme in order to discharge your financing obligations **or**
 - b. Self-comply with the Regulations, by self-financing the environmentally sound management of batteries. Submit waste battery management plans and reports to the EPA.
4. Ensure that batteries are **marked** with the crossed out wheeled bin symbol.
5. Producers are required to ensure that batteries placed on the Irish market comply with the requirements of the **specified hazardous substance** and **labelling** requirements.

4.1 Applying to Register with the WEEE Register Society Ltd.

Your first step in registration is contacting the WEEE Register Society Ltd. An application form is available to download from their website www.weeeregister.ie. When satisfied with your details, the WEEE Register Society Ltd will provide you with your unique registration number. This number will be followed by the letter B for battery only Producers and WB for Producers of Electrical and Electronic Equipment (EEE) and Batteries. This number should be shown on all invoices, credit notes, dispatch and delivery dockets issued by you so that your customers know that they are obtaining their batteries from a registered Producer.

There is a scaled annual registration fee applied by the WEEE Register Society, based on your organisation's financial turnover relating to batteries placed on the Irish Market.

4.2 Reporting to the WEEE Blackbox

As a producer you are required to report the amount (as a weight), by type and quantity, of batteries that you place on the Irish Market. This is done via a web based reporting system (WEEE Blackbox) that is managed by the WEEE Register Society Ltd. This is to ensure that any sensitive commercial information relating to your business is maintained confidentially. To obtain logon details for the web-based system you must contact the WEEE Register Society Ltd., and this is usually done as part of your registration process.

4.3 Financial Obligations and Waste Battery Management

The battery regulations aim to ensure that waste batteries are managed in an environmentally sound manner, and to promote the recovery and recycling of waste batteries to the maximum possible extent. It places the onus on producers of batteries to contribute an amount proportional to its market share to ensure the environmentally sound management of waste batteries. This can be done in either of the following two ways:

4.3.1 Join a compliance scheme

The battery regulations allow producers an exemption for certain provisions of the regulations (e.g. financing, collection, treatment and recycling efficiencies), once they are members of a compliance scheme. There are two compliance schemes approved for batteries in Ireland: WEEE Ireland and ERP Ireland.

4.3.2 Battery Waste Management Plan Submission (for self-complying Battery Producers)

If you decide that you wish to self-comply, you will not have the exemptions as outlined above. You are required to submit a Waste Battery Management Plan to the Environmental Protection Agency (EPA). Your first 3-year Plan must be submitted before the WEEE Register Society will complete your registration (steps 4.1 and 4.2 above). The plan provides an estimate of the quantity of waste batteries that will arise from the batteries you place on the Irish market over the 3 years. The figures are estimates they are not required to be exact figures. The format for these plans is defined and is available from the EPA website. The plan should be accompanied with the appropriate fee and back fees (if obligated since 2008) as specified by the Agency. Templates for the annual waste battery plan can be downloaded from www.batteries-enforcement.ie, click on guidance and download section.

4.3.3 Battery Waste Management Report submission (for self-complying Battery Producers only)

Each self-complying Producer of Batteries must report to the EPA on an annual basis on the batteries that they took back during the year and how they were managed. Templates for the annual waste battery report can be downloaded from www.batteries-enforcement.ie, click on guidance and download section.

Battery Producers may find the administrative burden and costs involved in self-compliance with the above requirements are prohibitive. If this is the case, Producers may opt to participate in an approved compliance scheme in order to satisfy the above requirements rather than self-comply.

4.4 Battery Specifications and Information Requirements



Producers must ensure that the batteries do not contain more than²:

- a) 0.0005% mercury by weight; and
- b) 0.0002% cadmium by weight;

and that the crossed-out wheeled bin symbol is prominently displayed on each battery³. This symbol indicates to the end-user that batteries must not be disposed of with municipal waste.

Additionally, producers must provide information to users of batteries on:

- the potential effects on the environment and human health of the substances used in the batteries;
- the desirability of not disposing waste batteries with unsorted municipal waste;
- their role in contributing to the recycling of batteries;
- the meaning of the wheeled bin symbol;
- how to safely remove a battery from an appliance where it is incorporated into the appliance concerned; and
- where appropriate, the type of battery that is to be incorporated into the appliance concerned.

² There are exemptions for emergency and alarm systems, medical equipment and cordless power tools (ref. Part II, SI 268 of 2008).

³ 'Prominently' means not less than the following dimensions – 3% of the area of the largest side of any battery or 1.5% of the surface area of any cylindrical cell, up to a maximum of 5 x 5 cm.

Producers can meet this obligation by:

- a) providing the information in the instruction for use;
- b) in leaflets issued at the point of sale, or, if appropriate;
- c) through any ongoing information campaign, which is approved by the Minister

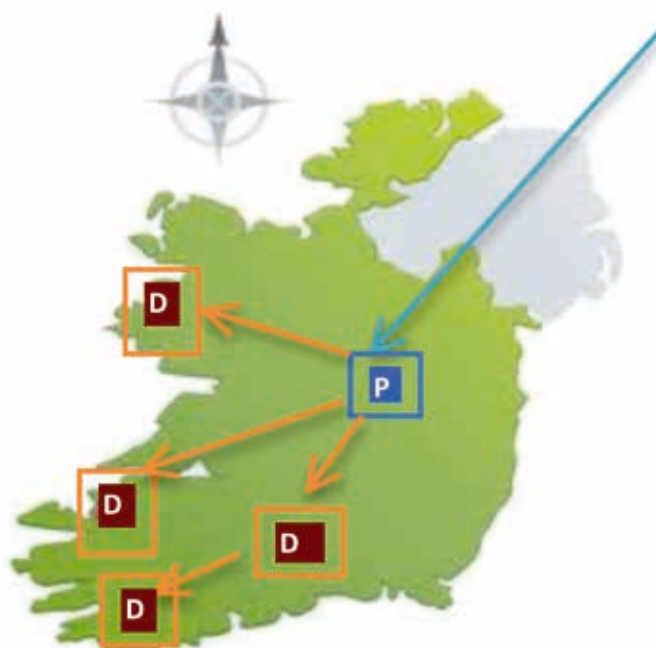
In addition to Producer obligations, if a person, company, or organisation sells directly to an end-user, they will also have obligations as a 'distributor' under the *Batteries Regulations*. Details on 'distributor' obligations and how to comply with them are outlined in EPA guidance documents, which are available to download from at the EPA's website www.batteries-enforcement.ie.

4.5 Distributors

In certain cases some lack of clarity may exist about who is a Producer and who is a Distributor.

Figure 1 illustrates the difference:

Fig. Diagram showing difference between a Producer and a Distributor of Batteries



P = Producer, the first person to bring batteries into the State. Even if you are a retailer (e.g. pharmacy), if you bring batteries into the country from abroad – including NI and UK – then you are the Producer. You must register as a Producer.

D = Distributor. As long as the batteries that you buy are from an Irish registered Producer then you are classed as a Distributor (e.g. retailer). If your suppliers (or your supplier's supplier) are not registered then you may be classed as a Producer and take on the relevant Producer obligations.

Appendix 1: Contact details for relevant bodies



Waste Electrical and Electronic Equipment (WEEE) and Battery Regulations in Ireland – Who does what?

Who?	Role	Telephone	Email	Web-site
Consumers	<ul style="list-style-type: none"> Take care of electrical and electronic equipment (EEE) so that others may use it when you have finished with it. Bring back waste electrical and electronic equipment (WEEE = unusable EEE) and waste batteries to retailer free of charge (Note: WEEE Regulations must-one-for one like-for-like). Bring back WEEE and waste batteries to local shop or civic amenity site. 			
Producers	<ul style="list-style-type: none"> Finance the take back of WEEE and waste batteries Register with the WEEE Register Society. Self-comply or join an approved compliance scheme. Mark products with crossed-out wheelie bin symbol for WEEE and Batteries 			

Who?	Role	Telephone	Email	Web-site
Retailers	<ul style="list-style-type: none"> ■ Register premises with local authority or compliance scheme. ■ Comply with requirements regarding price display and statutory notices. ■ Take back household WEEE free of charge when replacing on a one-for-one, like for like basis. ■ Take-back waste batteries of similar type to those sold (free of charge) ■ Store and transport WEEE and waste batteries as set out in Regulations. 			
Local authorities	<ul style="list-style-type: none"> ■ Local enforcement responsibilities (particularly in relation to retailer obligations). ■ Maintain retailer register. 	Contact relevant local authority		See relevant local authority website
Environmental Protection Agency	<ul style="list-style-type: none"> ■ Leads national enforcement of the WEEE and Battery Regulations. ■ Promotion of eco-design and re-use of EEE. 	Lo Call 1890 335599	weee@epa.ie batteries@epa.ie	www.weee-enforcement.ie www.batteries-enforcement.ie
WEEE Register Society Ltd.	<ul style="list-style-type: none"> ■ National producer registration body. ■ Registration of producers of EEE and Batteries. ■ Notify Environmental Protection Agency where evidence of non-compliance. ■ Determine which categories/sub-categories EEE product belongs to. ■ Verification of visible environmental management costs for EEE. ■ Determination of market share of individual producers (function devolved to the "Black box" currently managed by Deloitte & Touche). 	01 6333550/1 01 4172228	info@weeeregister.ie	www.weeeregister.ie www.weeeblackbox.ie
WEEE Ireland	<ul style="list-style-type: none"> ■ Approved producer compliance scheme. ■ Maintain alternate retailer register 	01 2999320	info@weeeireland.ie	www.weeeireland.ie www.recyclefree.ie

Who?	Role	Telephone	Email	Web-site
European Recycling Platform	<ul style="list-style-type: none"> ■ Approved producer compliance scheme. ■ Maintain alternate retailer register 	0818 332 757	ireland@erp-recycling.org	www.erp-recycling.ie www.befreewitherp.ie
Department of Environment, Community and Local Government	<ul style="list-style-type: none"> ■ Issues/amends the WEEE and Battery Regulations. ■ Represents Ireland at European Commission meetings (Technical Adaptation Committee). ■ Hosts WEEE Monitoring Group (stakeholder group monitoring implementation of the WEEE Regulations). 	Lo Call 1890 202021 01 888 2000	weee@environ.ie	www.environ.ie
Recovery operators (Facility for deposit, refurbishment, treatment, recycling or recovery of WEEE)	<ul style="list-style-type: none"> ■ Possess relevant permits/licences/Certificates of Registration where necessary. ■ Storage and/or treatment of WEEE and waste batteries in accordance with the requirements of the WEEE and Battery Regulations ■ Recovery and recycling of WEEE and waste batteries in line with recovery targets ■ Recording and maintaining accurate records for WEEE and waste batteries. 			Search: www.envirocentre.ie www.epa.ie

Note that this list is indicative, and therefore not an exhaustive list of the roles and responsibilities of each of the stakeholders implementing the WEEE Regulations. For further information on producer and retailer responsibilities please refer directly to the European Communities (Waste Electrical and Electronic Equipment) Regulations 2011 (S.I. No. 355 of 2011), as amended or the web-sites listed which have Frequently Asked Questions sections and guidance document.

Appendix 2: Battery Producer Examples

(From Commission Services document 2008)

Who is the “battery Producer”? – Examples

- *A battery manufacturer or a domestic importer sells batteries to a retailer who in turn sells them to end-users in the same Member State*

In this case, the battery manufacturer or the domestic importer is the Producer in that Member State, as they are the ones placing the batteries on the Market for the first time.

- *A retailer sells batteries in a Member State; the batteries were bought outside that Member State*

A retailer sells batteries to end-users in a given Member State which he bought in another country. In this case, as the retailer is placing these batteries on the Market for the first time in the given Member State, the retailer is the Producer.

- *An equipment/car manufacturer buys batteries within a Member State; these batteries are then sold together with the equipment/car in the same Member State*

A battery manufacturer or domestic importer in a Member State sells batteries to an equipment or car manufacturer in the same Member State who will then put the battery into equipment or a car and sell it on the Market of this Member State. In this case, the battery manufacturer or domestic importer is the Producer in this Member State as they are placing the batteries on the Market for the first time.

- *A car/equipment manufacturer buys batteries outside a Member State, then incorporates them into equipment/a car and sells this in the Member State*

The car/equipment manufacturer or domestic importer sells cars/equipment in a given Member State with batteries incorporated. The batteries for the car/equipment were bought outside this Member State. Since in this case it is the equipment or car manufacturer or domestic importer who places these batteries on the Market of the Member State for the first time, they are the battery Producers in this Member State.

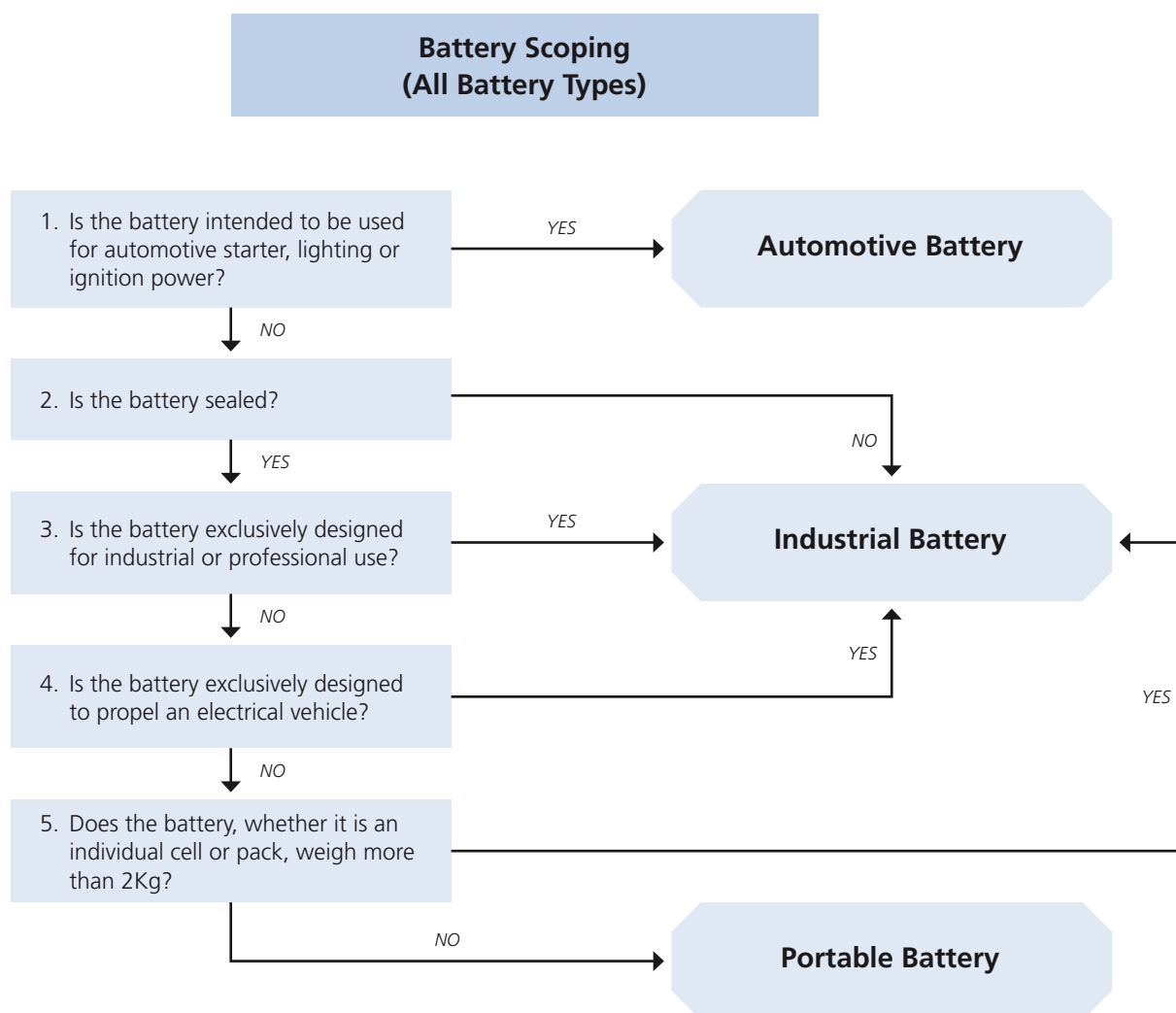
- *A company imports batteries from a non-EU parent company for its independent subsidiary located in a Member State*

In this case the independent European subsidiary is the Producer, as it is the subsidiary which places the batteries on the Market in that Member State.

- *Batteries or battery cells are sold in a Member State to a battery pack assembler and are then sold within the same Member State*

In this case the battery pack assembler is the Producer, as it makes the battery pack available on the Market for the first time on a professional basis within the territory of the Member State.

Appendix 3: Battery Scoping Tree



This document does not purport to provide a legal interpretation of the Waste Management (Batteries and Accumulators) Regulations 2008 – S.I. No. 268 of 2008 as amended. The Department of the Environment, Heritage and Local Government developed this document as guidance to producers in fulfilling their obligations. Users of this document should use the material provided therein for information purposes only. The Department of the Environment, Heritage and Local Government does not accept any responsibility whatsoever for loss or damage occasioned or claimed to have been occasioned, in part or in full, as a consequence of any person acting or refraining from acting, as a result of a matter contained in this document.

Individual companies must make their own decisions with due diligence to European Parliament and Council Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and National Legislation derived from this Directive. Producers are advised to document their decisions in determining the category of a battery. Producers must rely on their own legal advice on all questions of scope. Binding interpretation of Community legislation is the exclusive competence of the European Court of Justice.

Appendix 4: Summary of main obligations on battery producers

Relevant article	Responsibilities	Do I have this obligation as a battery compliance scheme (WEEE Ireland/ERP Ireland) member?	Do I have this obligation as a self-complying battery producer?
Articles 5, 6 & 7	<ul style="list-style-type: none"> ■ Marking of batteries ■ Exemptions for Cadmium (cordless power tools, emergency alarms or lighting systems and medical equipment) ■ Duty to inform the EPA, if non-compliant in relation to breaches of specified hazardous substances 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying
Article 17	<ul style="list-style-type: none"> ■ Obligation to register with the WEEE Register Society Ltd ■ Pay the fees as may be determined by the registration body or as appropriate a third party acting on its behalf. ■ Display the registration number issued in accordance with the provisions of article 19 on any invoice, credit note, dispatch, and delivery docket issued to a distributor. 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying
Article 20	<ul style="list-style-type: none"> ■ Where a producer supplies batteries by means of distance communication (e.g. online or telesales) you will be required to shall register under Article 17. 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying
Article 21 (4)	<ul style="list-style-type: none"> ■ Where a producer supplies batteries by means of distance communication to end users, he/she shall place a visible and legible notice at each point on his/her website, catalogues, brochures, mail-shots where batteries being distributed are displayed indicating that he or she will take back waste batteries free of charge provided any waste battery that is returned is of equivalent type as the batteries supplied by him or her together with details of any or every place of business in the State from which he or she distributes batteries or, as appropriate, an address in the State where he or she takes back waste batteries. 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying

Article 23 (1)	<p>On and from 26th September 2008 a producer is responsible for net costs for the following activities:</p> <ul style="list-style-type: none"> ■ The environmentally sound management of waste batteries deposited at collection points and civic amenity facilities in the functional areas of all local authorities relating to the producer's own products regardless of when placed on the market and their chemical composition. ■ The collection from end-users and environmentally sound management of waste industrial batteries relating the producer's own products regardless of when placed on the market and their chemical composition. ■ Any public information campaign on the collection, treatment and recycling of waste portable batteries in proportion to the quantity of portable batteries placed on the Irish market, excluding portable batteries that left the State prior to being sold to end-users. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 23 (2)	<ul style="list-style-type: none"> ■ Producers are prohibited from displaying the costs of the environmentally sound management of waste batteries to any person or persons 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying
Article 23 (3)	<p>On and from 26th September 2008 the producer:</p> <ul style="list-style-type: none"> ■ Must ensure that portable waste batteries, including waste button cells, regardless of when placed on the market and their chemical composition, are collected from a collection point within 20 working days of a request made by the collection point operator relating to the products of a type and brand supplied by that producer, or as appropriate in proportion to the quantity of batteries placed on the market in the State by that producer excluding any batteries that left the State prior to being sold to end-users. ■ Must ensure that waste automotive batteries or, as appropriate, waste industrial batteries regardless of when placed on the market and their chemical composition are collected from a collection point within 30 working days of a request made by the collection point operator relating to the products of a type and brand supplied by that producer, or as appropriate, in proportion to the quantity of batteries placed on the market in the State by that producer excluding any batteries that left the State prior to being sold to end-users. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article

Article 23 (4)	<ul style="list-style-type: none"> ■ If the producer fails to comply with a collection request in the appropriate time then the operator of the collection point may make alternative arrangements for the environmentally sound management of the waste batteries relating to the products of a type and brand supplied by the producer. The collection point operator may then bill the producer for the appropriate costs and charge an administrative fee of up to 10% of the total costs incurred during the process. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 23 (5)	<ul style="list-style-type: none"> ■ Where a business is transferred in whole or in part to another person or persons, the producer remains responsible for the full costs of financing the environmentally sound management of batteries the producer has placed on the market within the State excluding batteries which left the State prior to being sold to end-users, until the producer has demonstrated to the Agency that the new owners of the business are competent, and in agreement to meet all obligations of the producer in respect to such batteries. These obligations include the financing of the environmentally sound management of the waste batteries under Article 23(1) and that the producers meet all collection and recycling targets in accordance with the provisions of Article 23 (7) and Article 28. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 23 (6)	<ul style="list-style-type: none"> ■ Economic operators may collect waste industrial batteries from end users provided the waste industrial batteries are collected by an authorised waste collector and are managed in an environmentally sound manner in accordance with the provisions of Articles 26, 27 & 28. ■ Economic operators must submit a report to the EPA by the 28th February each year in respect to the previous calendar year and must include the information set out in Part 2 of the Second Schedule. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 23 (7)	<p>Each producer of portable batteries shall achieve as a minimum the following targets for the collection of portable batteries:</p> <ul style="list-style-type: none"> ■ 25% by 26 September 2012 and ■ 45% by 26 September 2016 <p>of the quantity by weight of portable batteries placed on the market in the State excluding any portable batteries that left the State prior to being sold to end-users.</p>	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 23 (8)	<ul style="list-style-type: none"> ■ Producers in Ireland have no obligation to finance the environmentally sound management of waste batteries that arise and are collected under any scheme set up in accordance with the Batteries Directive or the Waste Electrical and Electronic Equipment Directive in another member state or third country. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article

Article 23 (9)	<ul style="list-style-type: none"> ■ The quantity of portable batteries placed on the market in the State by a producer excluding any portable batteries that left the State prior to being sold to end-users shall, include batteries incorporated into appliances. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 25 (b)	<p>On and from 26 September 2009 producers of:</p> <ul style="list-style-type: none"> ■ Portable batteries must ensure that adequate arrangements are in place for the collection of waste portable batteries from collection points and civic amenity facilities situated in the functional area of each local authority. ■ Automotive batteries must ensure that adequate arrangements are in place for the collection of waste automotive batteries arising from private or, as appropriate non-commercial vehicles from collection points and civic amenity sites situated in the functional area of each local authority. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 26	<ul style="list-style-type: none"> ■ On and from 26th September 2008, any person shall be prohibited from disposing waste industrial and automotive batteries in landfill or by incineration. ■ Residues or any battery maybe disposed in a landfill or by incineration provided it has already undergone both treatment and recycling in accordance with the provisions of articles 27 and 28. 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying
Article 27 (1)	<ul style="list-style-type: none"> ■ Producers responsible for financing the environmentally sound management of any waste battery, end-user of industrial or automotive batteries (other than an automotive battery from a private or non-commercial vehicle who avails of alternative financing methods), authorised waste collector acting independently of any obligated producer or approved body engaged in the collection and transport of any waste industrial batteries and persons obligated under the provisions of Article 17 (5) or 22 (3) shall ensure: <ul style="list-style-type: none"> ■ Waste batteries are transported in accordance with the provisions of the Council Regulations as indicated under Article 27 (2) including the shipment of waste, the shipment of certain types of waste to certain non-OECD countries, export for recovery of certain waste to certain countries. ■ Waste batteries are treated and recycled at a facility authorised by the relevant competent authority or authorities in the member state or third country concerned and when treated and recycled shall furnish documentary evidence that the requirements of 27 (1) and 28 (1) are complied with. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article

Article 27 (3)	<ul style="list-style-type: none"> ■ On and from 26th September 2008 any holder of a waste facility permit, a waste registration certificate or waste collection permit shall furnish to the Agency information in relation to waste batteries collected, accepted, sorted, transferred, recycled, disposed of, brokered, or otherwise managed or treated within a specified period in such form or frequency as may be specified by the Agency 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 27 (4)	<p>On and from 26th September 2008, persons exporting waste batteries to any third country shall ensure:</p> <ul style="list-style-type: none"> ■ That waste batteries are treated in accordance with Article 15 of the Batteries Directive. ■ Demonstrate to the satisfaction of the Agency that waste batteries are treated at an appropriate facility and in accordance with Article 27 (1). ■ Demonstrate to the satisfaction of the Agency that waste batteries are recycled at an appropriate facility and in accordance with Article 28 (1). 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 27 (5)	<ul style="list-style-type: none"> ■ On and from 26th September 2008 any battery that is collected with waste electrical and electronic equipment (WEEE) in accordance with the WEEE Regulations shall be removed from WEEE prior to its environmentally sound management. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 28 (1)	<ul style="list-style-type: none"> ■ On and from 26th September 2011 producers responsible for financing the environmentally sound management of any waste battery, end-user of industrial or automotive batteries (other than an automotive battery from a private or non-commercial vehicle who avails of alternative financing methods), authorised waste collector acting independently of any obligated producer or approved body engaged in the collection and transport of any waste industrial batteries and persons obligated under the provisions of Article 17 (5) or 22 (3) shall ensure that recycling processes meet the recycling efficiencies set out in Part B of Annex III of the Batteries Directive. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article

Article 29	<p>On and from 26th September 2008</p> <ul style="list-style-type: none"> ■ Each producer shall ensure that he/she or third party acting on their behalf, records the quantities by weight or as appropriate by number of units, and categories of batteries (where categories are specified in guidance that may be issued by the Minister) that are placed on the market in each member state of the European Union and third countries ■ Each producer that is responsible for financing the environmentally sound management of any waste battery in accordance with the provisions of article 23 or third party acting on their behalf shall record the quantities by weight or as appropriate by number of units, and categories of batteries (where categories are specified in guidance that may be issued) when entering and leaving a recycling facility carrying out the treatment of waste batteries or, as appropriate, when entering a recycling facility carrying out the recycling of waste batteries. ■ Records shall be retained at an address in the State. Required to keep records for a period of at least six years. ■ Records shall be made available to the Agency, the Registration Body, a local authority, or appropriate, an appropriate agency on request within a specified period or by a specified date 	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying	Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying
Article 30 (1, 2 & 5)	<p>A Producer shall:</p> <ul style="list-style-type: none"> ■ Not later than the date on which an application for registration is made have prepared a plan detailing the steps to be taken to comply with the requirements for self-compliers as set out in the Regulations and steps to be taken to ensure the environmentally sound management of waste batteries. The Plan shall contain the information set out in Part 1 of the Fourth Schedule. ■ On and from the 26th September 2008, fix and maintain a notice in a conspicuous position within one metre of each entrance, other than the premises used for the distribution of batteries, that complies with requirements specified in Part 1 of the Third Schedule. ■ Every three years, not later than the date of application for renewal of registration, have prepared a new Plan detailing the steps as outlined under (1.1) above. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article

Article 30 (3 & 4)	<p>A Producer shall:</p> <ul style="list-style-type: none"> ■ Not later than the date of application for renewal of registration, have prepared a report specifying the steps taken in order to comply with the requirements set out in the Regulations in the relevant period and the results of these steps. The report shall contain the information set out in Part 2 of the Fourth Schedule. ■ Not later than the date of application for renewal of registration, fix and maintain a notice in a conspicuous position within one metre of each entrance other than the premises used for the distribution of batteries, that complies with requirements specified in Part 2 of the Third Schedule 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 30 (6)	<ul style="list-style-type: none"> ■ A Producer shall on the date on which application for registration or renewal of registration is made, submit to the Agency for its approval a copy of the plan or report. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 30 (7)	<ul style="list-style-type: none"> ■ An administration fee determined by the Agency shall accompany a copy of the plan or report. The Board of the Agency will determine the fee to accompany the waste management plan. 	No, producers who are members of a battery compliance scheme, are exempt from this requirement	The fee maybe in the region of €6,000 and back fees as appropriate.
Article 30 (8 & 9)	<ul style="list-style-type: none"> ■ A copy of a plan or report shall be made available free of charge by the producer to any person who so requests within 10 working days of the date of the receipt of the request. This includes sending the report by post, fax or electronic mail. 	No, producers who are members of a battery compliance scheme are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Article 30 (10)	<ul style="list-style-type: none"> ■ The Agency shall in determining the adequacy of a plan consult with the Minister with regard to any condition that the Minister may wish to apply <p>(See below the conditions that the Minister for the Environment, Heritage and Local Government has directed the EPA to include as conditions when approving any plan submitted to the EPA for approval)</p>	No, producers who are members of a battery compliance scheme are exempt from this requirement	Yes, self-complying battery producers are required to comply with this article
Application of Conditions as directed by the Minister under Article 30 (10)	<p>Producers shall undertake to achieve interim collection targets of:</p> <ul style="list-style-type: none"> (a) 15% of waste portable batteries by 26th September 2010 (b) 30% of waste portable batteries by 26th September 2014 <p>based on the quantity by weight of portable batteries placed on the market in the State.</p>	No, producers who are members of a battery compliance scheme are exempt from this requirement. Compliance scheme undertakes to achieve the collection targets on your behalf	Yes, self-complying battery producers are required to demonstrate compliance with this article

Application of Conditions as directed by the Minister under Article 30 (10)	<ul style="list-style-type: none"> ■ Producers shall engage with all other legal entities who have financial obligations in accordance with the provisions of Article 23 of the Regulations and where appropriate with all approved bodies granted approval in accordance with article 36 of the Regulations to agree adequate arrangements that ensure waste batteries are collected from all collection points in the State. ■ Where, no agreement is reached Producers will be required to contribute to the financing of adequate clearing arrangements to enable each entity who has financial obligations in accordance with the provisions of Article 23 of the Regulations and where appropriate with all approved bodies granted approval in accordance with Article 36 of the Regulations to collect waste batteries in proportion to the market share attributable to each legal entity concerned to enable collection points contact the clearing mechanism that is established to arrange for collections of waste batteries. ■ The costs in financing such clearing arrangements will have to be borne equally by each legal entity concerned regardless of market share attributable to each. Such clearing mechanisms shall also be used in determining the financial obligation, in proportion to market share, of each legal entity with financial obligations in accordance with the provisions of Article 23 of the Regulations and where appropriate with all approved bodies granted approval in accordance with article 36 of the Regulations. ■ Producers shall undertake to make arrangements with all other producers who have financial obligations in accordance with the provisions of Article 23 of the Regulations and where appropriate with all approved bodies granted approval in accordance with Article 36 to ensure that waste batteries are collected from all collection points in the State. ■ Producers shall further undertake that in the event no agreement is reached, it shall contribute, in equal amount to other obligated legal entities, to the financing of adequate clearing arrangements to enable each entity who has financial obligations in accordance with the provisions of Article 23 of the Regulations where appropriate with all approved bodies granted approval in accordance with Article 36 to collect waste batteries in proportion to the market share attributable to each legal entity concerned to enable collection points contact the clearing mechanism that is established to arrange for collections of waste batteries. 	<p>No, producers who are members of a battery compliance scheme are exempt from this requirement</p>	<p>Yes, self-complying battery producers are required to demonstrate compliance with this article</p>
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Article 32	<ul style="list-style-type: none"> ■ Each producer or a third party acting on their behalf shall declare the quantities by weight or as appropriate by number of units and categories of batteries (where categories are specified in guidance that may be issued by the Minister) he/ she placed on the market in the State excluding any batteries that left the State prior to being sold to end-users, to the registration body or where any or all of the functions of the registration body have been devolved to a third party the third party concerned. ■ By 1st September 2008, in respect of the calendar year ending 31 December 2007, ■ By 31st January of each year thereafter, in respect of the previous calendar year ending 31st December, and ■ On request within a specified period or by a specified date, in respect of any specified period. 	<p>Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying</p>	<p>Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying</p>
Article 46	<ul style="list-style-type: none"> ■ On and from 26th September 2008 ■ Each person in the State engaged in the manufacture of appliances into which batteries are incorporated shall be required to design the appliances concerned in such a way that waste batteries can be readily removed, except where, for safety, performance, medical or data integrity reasons, continuity of power supply is necessary and requires a permanent connection between the appliance and the battery ■ Any producer of appliances into which batteries have been incorporated shall ensure that each appliance concerned is accompanied by instructions showing how they can be removed safely and, where appropriate, informing the end-user of the type of the incorporated batteries. ■ The Minister from time to time may issue guidance concerning the design of and production of appliances containing batteries. 	<p>Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying</p>	<p>Yes, this is a requirement on all battery producers, irrespective of whether they are members of a compliance scheme or self-complying</p>

An Gníomhaireacht um Chaomhnú Comhshaoil

Is í an Gníomhaireacht um Chaomhnú Comhshaoil (EPA) comhlachta reachtúil a chosnaíonn an comhshaoil do mhuintir na tíre go léir. Rialaímid agus déanaimid maoirsiú ar ghníomhaíochtaí a d'fhéadfadh truailliú a chruthú murach sin. Cinntímid go bhfuil eolas cruinn ann ar threochtaí comhshaoil ionas go nglactar aon chéim is gá. Is iad na príomhnithe a bhfuilimid gníomhach leo ná comhshaoil na hÉireann a chosaint agus cinntiú go bhfuil forbairt inbhuanaithe.

Is comhlacht poiblí neamhspleách í an Gníomhaireacht um Chaomhnú Comhshaoil (EPA) a bunaíodh i mí Iúil 1993 faoin Acht fán nGníomhaireacht um Chaomhnú Comhshaoil 1992. Ó thaobh an Rialtais, is í an Roinn Comhshaoil, Pobal agus Rialtais Áitiúil.

ÁR bhFREAGRACHTAÍ

CEADÚNÚ

Bíonn ceadúnais á n-eisiúint againn i gcomhair na nithe seo a leanas chun a chinntiú nach mbíonn astuithe uathu ag cur sláinte an phobail ná an comhshaoil i mbaol:

- áiseanna dramhaíola (m.sh., líonadh talún, loisceoirí, stáisiúin aistrithe dramhaíola);
- gníomhaíochtaí tionsclaíocha ar scála mór (m.sh., déantúsaíocht cógaisíochta, déantúsaíocht stroighne, stáisiúin chumhachta);
- díantalmhaíocht;
- úsáid faoi shrian agus scaoileadh smachtaithe Orgánach Géinathraithe (GMO);
- mór-áiseanna stórais peitreal;
- scardadh dramhuisce.

FEIDHMIÚ COMHSHAOIL NÁISIÚNTA

- Stiúradh os cionn 2,000 iniúchadh agus cigireacht de áiseanna a fuair ceadúnas ón nGníomhaireacht gach bliain.
- Maoirsiú freagrachtaí cosanta comhshaoil údarás áitiúla thar sé earnáil – aer, fuaim, dramhaíl, dramhuisce agus caighdeán uisce.
- Obair le húdarais áitiúla agus leis na Gardaí chun stop a chur le gníomhaíocht mhídhleathach dramhaíola trí chomhordú a dhéanamh ar líonra forfheidhmithe náisiúnta, díriú isteach ar chiontóirí, stiúradh fiosrúcháin agus maoirsiú leigheas na bhfadhbanna.
- An dlí a chur orthu siúd a bhriseann dlí comhshaoil agus a dhéanann dochar don chomhshaoil mar thoradh ar a ngníomhaíochtaí.

MONATÓIREACHT, ANAILÍS AGUS TUAIRISCIÚ AR AN GCOMHSHAOIL

- Monatóireacht ar chaighdeán aer agus caighdeáin aibhneacha, locha, uiscí taoide agus uiscí talaimh; leibhéil agus sruth aibhneacha a thomhas.
- Tuairisciú neamhspleách chun cabhrú le rialtais náisiúnta agus áitiúla cinntiú a dhéanamh.

RIALÚ ASTUITHE GÁIS CEAPTHA TEASA NA hÉIREANN

- Cainníochtú astuithe gáis ceaptha teasa na hÉireann i gcomhthéacs ár dtiomantas Kyoto.
- Cur i bhfeidhm na Treorach um Thrádáil Astuithe, a bhfuil baint aige le hos cionn 100 cuideachta atá ina mór-ghineadóirí dé-ocsaíd charbóin in Éirinn.

TAIGHDE AGUS FORBAIRT COMHSHAOIL

- Taighde ar shaincheisteanna comhshaoil a chomhordú (cosúil le caighdeán aer agus uisce, athrú aeráide, bithéagsúlacht, teicneolaíochtaí comhshaoil).

MEASÚNÚ STRAITÉISEACH COMHSHAOIL

- Ag déanamh measúnú ar thionchar phleananna agus chláracha ar chomhshaoil na hÉireann (cosúil le pleananna bainistíochta dramhaíola agus forbartha).

PLEANÁIL, OIDEACHAS AGUS TREOIR CHOMHSHAOIL

- Treoir a thabhairt don phobal agus do thionscal ar cheisteanna comhshaoil éagsúla (m.sh., iarratais ar cheadúnais, seachaint dramhaíola agus rialacháin chomhshaoil).
- Eolas níos fearr ar an gcomhshaoil a scaipeadh (trí cláracha teilifíse comhshaoil agus pacáistí acmhainne do bhunscoileanna agus do mheánscoileanna).

BAINISTÍOCHT DRAMHAÍOLA FHORGHNÍOMHACH

- Cur chun cinn seachaint agus laghdú dramhaíola trí chomhordú An Chláir Náisiúnta um Chosc Dramhaíola, lena n-áirítear cur i bhfeidhm na dTionscnamh Freagrachta Táirgeoirí.
- Cur i bhfeidhm Rialachán ar nós na treoracha maidir le Trealamh Leictreach agus Leictreonach Caite agus le Srianadh Substaintí Guaiseacha agus substaintí a dhéanann ídiú ar an gcrios ózóin.
- Plean Náisiúnta Bainistíochta um Dramhaíl Ghuaiseach a fhorbairt chun dramhaíl ghuaiseach a sheachaint agus a bhainistiú.

STRUCHTÚR NA GNÍOMHAIREACHTA

Bunaíodh an Gníomhaireacht i 1993 chun comhshaoil na hÉireann a chosaint. Tá an eagraíocht á bhainistiú ag Bord Iánaimeartha, ar a bhfuil Príomhstiúrthóir agus ceithre Stiúrthóir.

Tá obair na Gníomhaireachta ar siúl trí ceithre Oifig:

- An Oifig Aeráide, Ceadúnaithe agus Úsáide Acmhainní
- An Oifig um Fhorfheidhmiúchán Comhshaoil
- An Oifig um Measúnacht Comhshaoil
- An Oifig Cumarsáide agus Seirbhísí Corparáide

Tá Coiste Comhairleach ag an nGníomhaireacht le cabhrú léi. Tá dáréag ball air agus tagann siad le chéile cúpla uair in aghaidh na bliana le plé a dhéanamh ar cheisteanna ar ábhar imní iad agus le comhairle a thabhairt don Bhord.



ENVIRONMENTAL PROTECTION AGENCY
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