

## SEPA Regulatory Guidance - Collection of Waste Portable Batteries from Distributors

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### Introduction

[The Waste Batteries and Accumulators Regulations 2009](#) (“the Regulations”) were laid before Parliament on 14<sup>th</sup> April 2009. They introduced provisions aimed at increasing the collection and recycling of batteries.

These Regulations set out requirements for waste battery collection, treatment, recycling and disposal for all battery types including arrangements by which the UK intends to meet waste portable battery separate collection targets of 25% by 2012 and 45% by 2016. Any persons wishing to place on the market new primary (single use) batteries and accumulators (more commonly known as rechargeable batteries), and products that may contain batteries and accumulators, should familiarise themselves with these Regulations. The Regulations also affect battery distributors/retailers, and waste battery collectors, recyclers and exporters. Details of the requirements of the regulations can be found in the [Government Guidance Notes](#). See the “Links” section for details.

This guidance note is aimed at distributors and explains how their duty to take back waste batteries in-store interacts with the Special Waste Regulations 1996, as amended. It will also be relevant to other parties involved with battery collection such as Battery Compliance Schemes (BCS) and local collection projects. It should be read in conjunction with the SEPA Guide to Consigning Special Waste.

Any company carrying waste on the highway (other than their own waste) must be a registered waste carrier. Distributors must ensure that any company removing waste from their premises is a registered waste carrier. This can be done by checking on the SEPA website:

[http://www.sepa.org.uk/waste/waste\\_regulation/waste\\_carriers\\_and\\_brokers/who\\_is\\_registered.aspx](http://www.sepa.org.uk/waste/waste_regulation/waste_carriers_and_brokers/who_is_registered.aspx).

This note does not cover requirements in Health and Safety or ADR (International Carriage of Dangerous Goods) legislation as SEPA is not the regulator for these areas. There is an exemption from the full requirements of the ADR providing the weight of mixed batteries does not exceed 333kg. Sources of further guidance are detailed at the end of the note.

### Background

If you supply batteries from the UK on a professional basis to an end-user, you are classed as a distributor. The majority of distributors will be retailers, including internet sellers.

Further information on the main group who will be affected by the regulations is available on the SEPA website:

[http://www.sepa.org.uk/waste/waste\\_regulation/producer\\_responsibility/batteries/who\\_is\\_affected.aspx](http://www.sepa.org.uk/waste/waste_regulation/producer_responsibility/batteries/who_is_affected.aspx)

## Batteries and Special Waste

Special Waste is essentially any waste with hazardous properties which may render it harmful to human health or the environment.

Batteries containing lithium are classified as “dangerous” under the Carriage of Dangerous Goods Act, while nickel cadmium batteries meet the definition of “hazardous” under the Hazardous Waste Regulations. Button cells may contain mercury which is also “hazardous”.

Not all batteries fall under these classifications (hazardous and dangerous). The most popular type of portable battery – Alkaline - is not classed as hazardous or dangerous. However, a container full of mixed waste batteries is almost certain to contain a small number of batteries that are deemed to be dangerous and/or hazardous. Therefore **all** mixed waste batteries must be transported and stored as special waste.

Anyone considering separating out lithium and nickel cadmium batteries (and this is not an easy task, even for experts) should bear in mind that, when concentrated, lithium batteries present a greater risk than when dispersed among other batteries and the controls on movement are significantly more stringent (see Department of Transport Guidance).

## Consigning Batteries

Once batteries have been collected in-store (or at any other end user collection point) they must be transported to the recycling facility. In Scotland, the [Special Waste Regulations 1996](#), as amended, set out procedures to be followed when disposing of, carrying and receiving special waste. The regulations are the principal piece of legislation covering special waste arising in Scotland.

## Types of Consignments

Single: a single movement of special waste to one consignee for recovery, treatment, recycling or disposal.

Succession: repetitive movements of the same type of special waste from the same producer(s)/consignor(s) to the same consignee.

Carrier’s round: This occurs when the same type of special waste is collected from different producers. There are two classifications of Carrier’s rounds:

- 24 Hour Carrier’s Round
- Extended Carrier’s Round

Every movement of batteries which are special waste must be accompanied by a consignment note. There are three different types of note: SA, SB and SC.

**SA** notes are for single movements or single carrier’s rounds of special waste and cost £15.

**SB** notes are for movements consisting solely of lead acid batteries and cost £10.

**SC** notes are for second or subsequent movements of waste within a succession of extended carrier’s rounds and are free.

Carrier's Schedule: Waste moved in a 'carrier's round' must be consigned using a standard SA note and a 'carrier's schedule' which lists the premises on the carrier's round. Schedules can be obtained for a small charge (approx 20p) from SEPA. The schedule is divided into four tear-off strips however multiple schedules can be used for more collection points, e.g. 5 schedules would be needed for a round that has 20 collection points. One strip must be completed at the time of the waste collection and left with the producer along with a copy of the SA or SC consignment note.

Consignment notes can be purchased from SEPA. Further information and on-line purchasing can be found in the [Special Waste Consignment Note \(SWCN\) Purchases Manual](#) or contact the Special Waste Consignment Note Administrator on 01786 452445 for further information.

### **Cross Border Movements**

Regardless of its final destination within the UK, all special (hazardous) waste produced in Scotland must be consigned using either a SEPA issued consignment note or code purchased from SEPA and where appropriate, pre-notification to SEPA is required.

The pre-notification must be received by SEPA (or the EA/NIEA if waste is being transported across the mainland border) at least **three** working days and no more than one month prior to the movement of the consignment.

When consigning special (hazardous) waste to England or Wales or Northern Ireland for treatment, disposal or recovery, the consignee who receives the waste is required to send a copy of the completed deposit note to SEPA.

Please note that a carrier's round may start or finish outside Scotland but all collection points must be located in Scotland.

### **Examples:**

1) A retailer collects batteries in-store. The batteries are back-hauled to the distribution depot where they are bulked up and taken to the ABTO. This is effectively two movements: the batteries must be consigned to the distribution centre using a SA note and another SA note will be required for the subsequent bulk movement from the distribution centre to the treatment facility. Both movements require to be notified to SEPA (or the EA/ NIEHS if the waste is being transported across the mainland border) 72 hours in advance.

If the movement is to be repeated throughout the year, it is possible to use a succession. This would avoid the need to pre-notify subsequent movements but a separate SA consignment note must be used for each movement. (Note that SC successions only cover successions that take place within one week and cannot revisit collection points.)

The distribution centre must hold a waste management licence or register an exemption from the requirement to have a waste management licence under schedule 3, [paragraph 17](#) or [paragraph 18](#) of the Waste Management Licensing Regulations 1994. This is free of charge and may be done via the SEPA website. Note that retailers do not require an exemption to collect and store batteries on their

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premises but if other waste streams are also collected, e.g. WEEE, a licence or exemption will be required. Contact your local SEPA office for further details.

### Procedure:

- Pre-notify 72 hours in advance
- The waste must be moved within one month of the expected removal date.

This option will incur a £15 charge for every back hauled load of batteries to the distribution centre and £15 for each bulk load taken to the treatment facility. However, if the vehicle is returning to the distribution centre anyway, transport is minimised.

**2)** One collection vehicle goes round several retailers in one day and takes the batteries back to a bulking centre. The bulked batteries are then taken to the ABTO as a separate movement.

Consignment note option: again this is two movements where the collection from several retailers is done using a 24 hour carrier's round and a new SA note used for the subsequent bulk movement from the distribution centre to the treatment facility. Note that **all** the collection points must be located in Scotland but the final treatment facility may be outside Scotland.

As above, the bulking centre must also register a paragraph 17 or paragraph 18 exemption or hold a waste management licence.

### Procedure:

- Each round requires one SA note and enough carrier's schedules to cover the required number of premises. (Each schedule has space for four premises.)
- Prenotify the carrier's round (and the final bulked movement if this is to take place within 1 month). For greater flexibility, the full list of pick up locations may be prenotified but the actual collection need not include all these points. Again, this need only be done once a year and future rounds completed as successions. If any additional collection points are added a completely new succession is needed.
- The collection round must be completed within 24 hours.

**3)** A batteries treatment facility has a van and collects from a series of premises in Scotland. The batteries are taken back to their facility. In this example, this takes 4 days to complete.

Consignment option: extended carrier's round.

### Criteria:

- To use an extended carrier's round, the carrier must also be the final consignee, i.e. in this example, the ABTO.
- Each premises on the round can only be visited once
- To take advantage of the exemption under ADR, the total tonnage of waste batteries carried in the vehicle must not exceed 333kg. Otherwise, the maximum that can be collected is 400kg on second and subsequent rounds requiring full ADR compliance.

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- The extended carrier's round must be completed within a week.

### Procedure:

- Prenotify 3 working days in advance of the round starting. This will include a list of collection points.
- The first round, e.g. Monday will use the SA note and a carrier's schedule strip for each of the premises. The second round, e.g. Tuesday will use a SC note which will refer back to the original SA number, and enough carrier's schedule strips for each premises. The third round will use a different SC note which will refer back to the SA number.

### Links

Full information on the Special Waste Regulations and the Guide mentioned above can be found on our website:

[http://www.sepa.org.uk/waste/waste\\_regulation/special\\_waste.aspx](http://www.sepa.org.uk/waste/waste_regulation/special_waste.aspx)

Details of the requirements of the regulations can be found in the Government Guidance Notes available on the NetRegs website:

[http://www.netregs.gov.uk/static/documents/NetRegs/BERR -  
\\_Waste Batteries Guidance.pdf](http://www.netregs.gov.uk/static/documents/NetRegs/BERR_-_Waste_Batteries_Guidance.pdf)

**Defra:** Advisory Note on the Storage and Transport of Waste Portable Batteries

[http://www.defra.gov.uk/environment/waste/producer/batteries/documents/0907-  
advisory-note.pdf](http://www.defra.gov.uk/environment/waste/producer/batteries/documents/0907-advisory-note.pdf)

**Department for Transport:** Authorisation No 214 allows the carriage of used batteries without meeting the full ADR requirements provided certain conditions are met:

<http://www.dft.gov.uk/426155/425450/300/auth214.pdf>

Contact the DfT for further information on the transport and packaging of used batteries.