

By Registered Post

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Date:07.02.2024

To,

The Chairman
All SPCBs / PCCs

Sub: - Direction under Section 5 of the E (P) A, 1986 regarding compliance of Battery Waste Management Rules, 2022 and its verification - reg.

WHEREAS, the Ministry of Environment, Forest & Climate Change (MoEF&CC) has notified Battery Waste Management Rules, 2022 in exercise of the powers conferred section 3, 6 and 25 of the Environment (Protection) Act, 1986 vide notification no. G.S.R. 3984 (E) dated 22nd August, 2022; and

WHEREAS, amendments to Battery Waste Management Rules, 2022 has been notified by MoEF&CC on 25th October, 2023; and

WHEREAS, as per section 9 (1) of the above Rules, "All recyclers shall register with the State Pollution Control Board through the online portal." And as per section 12 (1) of the above Rules, "The State Pollution Control Board shall register entity involved in refurbishing and recycling through online portal"; and

WHEREAS, as per section 12 (1) (i) of the Rules, "the State Pollution Control Board or through a designated agency shall verify compliance of entity involved in refurbishing and recycling of Waste Battery through inspection and periodic audit, as deemed appropriate, in their jurisdiction."

WHEREAS, as per section 13 (1) of the Rules, "Environmental Compensation shall also be levied for the following activities based on polluter pays principle, – (i) entities carrying out activities without registration as mandated under these rules; (ii) providing false information / willful concealment of material facts by the entities registered under these rules; (iii) submission of forged/manipulated documents by the entities registered under these rules; (iv) entities engaged in collection, segregation, and treatment in respect to not following sound handling of Waste Battery."

WHEREAS, CPCB has developed the Online EPR portal for Battery Waste Management and prepared the Standard Operating Procedure (SOP) for Registration of Recyclers; and

WHEREAS, Module for Registration of Recyclers by SPCBs / PCCs through the Online EPR Portal has been made operational since August 11, 2023. Also training sessions have been conducted by CPCB for SPCBs / PCCs officials regarding operation of the Module.

WHEREAS CPCB vide letter dated 06.11.2023 requested SPCBs / PCCs to on- board Battery waste recyclers on portal and to process the applications received on Online EPR Portal for registration; and

WHEREAS, a series of review meetings are also conducted by CPCB with SPCBs / PCCs to ensure that every recycler apply for registration of CPCB EPR Portal for battery waste management and timely grant of their registration. Regional Interaction Meets were also convened on 19th, 20th, 30th October, 2023 and November 20, 2023 in Bengaluru, Mumbai, Delhi, and Kolkata region respectively with the Recyclers and SPCBs / PCCs; and

WHEREAS, as per information available with CPCB, there are around 674 Waste Battery Recyclers are operational in 36 States/UTs and total applications received from recyclers is 312. So far, only 111 registrations have been granted to the Recyclers by SPCBs / PCCs; and

WHEREAS, in view of above, on-boarding of all the recyclers on the Online EPR Portal and verification of capabilities of Recycling/Refurbishing unit is must; and

NOW THEREFORE, in exercise of power vested under Section 5 of the Environment (Protection) Act, 1986, the following directions are hereby issued:

- a. To issue notice to all entities operating without registration as mandated in the Rules, followed by issuing show cause notice/closure of such entities;
- b. To physically verify the facilities of Waste Battery Recyclers in the State/UT in terms of various details such as its GPS location, Geo-tagged photos/videos, type of recycler, installed plant and machinery and their actual production capacity, etc.;
- c. To take action against such Recyclers who have uploaded their details falsely or not correctly on the EPR portal as per verification as at point (b) above and to recommend CPCB immediately for correcting details on the EPR portal so as to ensure that no false EPR certificates is being generated in the State/UT. Further, necessary changes be also done in the CTO accordingly and be informed to CPCB;
- d. To carry out drives for identifying informal/illegal Waste Battery Recyclers / Refurbishers including clusters/areas where such illegal recyclers / refurbishers are operating and to close such informal recycling / refurbishing unit immediately;
- e. To Facilitate the transformation of such informal/illegal Waste Battery Recyclers / Refurbishers into formal recyclers / refurbishers and consent mechanism by way of providing necessary technical support, hand-holding, integrating with schemes in the SPCB/PCC, etc.;
- f. To also issue advertisement in the newspaper in vernacular language for immediately closing of illegal Waste Battery recycling / refurbishment operations by the operators who do not have consent to operate, including for the common public to inform the same, if any, and take actions as at point (e) and point (f) above.

You are hereby directed to take necessary action for compliance of aforesaid direction and submit Action Taken Report to this office within 15 days of receipt of these directions.

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(Tanmay Kumar)
Chairman

Copy to:

1. Regional Directorates : For follow-up with SPCBs/PCCs in your jurisdiction
- ✓ 2. DH (IT) : For uploading on CPCB website and EPR Portal

BKS
(Bharat Kumar Sharma)
Member Secretary

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