

By Registered Post

File No: CP-27/21/2022-WM-I-HO-CPCB-HO-Part (1)

Date: 26.02.2024

To,

The Chairman
All SPCBs / PCCs

Sub: - Direction under Section 5 of the E (P) A, 1986 for ensuring generation of EPR credits by Waste Battery Recyclers through CPCB Online EPR Portal for Battery Waste Management towards fulfilment of Producer EPR Obligations for FY 2022-23 and 2023-24 - 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 10 (6) of the above Rules, "Extended Producer Responsibility certificates will be generated by Central Pollution Control Board through the centralised online portal based on the recycled or refurbished quantities and assigned to recyclers or refurbishers. The recyclers or refurbishers can sell the assigned Extended Producer Responsibility certificates to Producer for fulfilling their extended producer responsibility obligations."; and

WHEREAS, as per section 10 (7) of the above Rules, "The Extended Producer Responsibility certificate for recycler or for refurbisher shall be generated based on the weight of waste Battery processed or refurbished, as the case may be, and weight of Battery material produced as per guidelines of the Central Pollution Control Board and the Central Pollution Control Board shall ensure that every certificate is issued based on the waste Battery processed or refurbished."; and

WHEREAS, guidance document for generation and transfer of EPR certificate has been prepared by CPCB and placed on Online EPR Portal under Battery Waste Management; 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 9 (3) of the Rules, "Recyclers shall furnish the quarterly returns in Form 4 regarding the information on quantity of Waste Battery collected or received from various producers or entity, recycled quantities, compliance of material-wise recovery percentage as per recovery targets provided under sub-rule 4 of rule 10, quantity of hazardous and/or other waste including solid waste or plastic waste generated after recycling and of such quantity as per as per extant rules and the quarterly return shall be filed by the end of the month succeeding the end of the quarter"; and

WHEREAS, as per section 9 (4) of the above Rules, "the total quantity of Waste Battery processed by entity involved in recycling of Waste Battery, on quarterly basis, will be made available on the portal developed by Central Pollution Control Board and on the websites of the entities."; and

WHEREAS, registered recyclers have to upload details of quantity of waste battery procured/collected, and key battery metals recovered and sold based on which EPR credits are generated for the metals on the Online EPR Portal.; and

WHEREAS, as per Schedule II (v) of the Rules, "Producer will meet their Extended Producer Responsibility obligation through the Extended Producer Responsibility certificate made available by recycler or refurbisher"; and

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WHEREAS, as per section 12 (1) (i) of the Rules, "provision for registration shall be made on the Extended Producer Responsibility portal and 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."; and

WHEREAS, availability of sufficient quantity of EPR credits on the Online EPR portal is pre-requisite for fulfilment of EPR obligation of the Producers; and

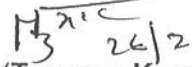
WHEREAS, in the view of above, generation of EPR certificates by the Recyclers is essential for fulfilment of EPR targets by the registered producers. Also, the invoices are required to be uploaded by the recyclers for generation of EPR credits and the same shall be verified by the concerned SPCB/PCC; and

WHEREAS, CPCB has issued direction dated 07.02.2024 under section 5 of the Environment (P) Act 1986 to your Board to: (i) 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.; and (ii) to take action against such Recyclers who have uploaded their details falsely or not correctly on the EPR portal. Further, necessary changes be also done in the CTO accordingly and be informed to CPCB; and

NOW, THEREFORE, in exercise of power vested under Section 5 of the Environment (Protection) Act, 1986, and in continuation of the direction dated 07.02.2024, following directions are hereby issued:

- a. To issue notice to all recyclers, who are recycling waste battery but not uploading requisite documents, invoices as per the above mentioned guidance document, for generation of EPR credits on the Online EPR Portal;
- b. To suspend/withdraw/cancel CTO of such waste battery recyclers for non-compliance of (a) above;
- c. To carry out verification of various documents/invoices/information uploaded by the waste battery recyclers on the Online EPR portal for quantity of waste battery procured/collected and key battery material recovered and sold for generation of EPR credits and also verify their installed plant & machinery and their capacities.

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.


(Tanmay Kumar)
Chairman

Copy to:

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


(Bharat Kumar Sharma)
Member Secretary



