



PHD House, 4th Floor, Ramakrishna Dalmia Wing
4/2, Siri Institutional Area, August Kranti Marg, New Delhi – 110016,
Tel# 9355144223 E-mail: dg@mait.com □ Website: http://www.mait.com

Ref.No.MAIT/PY/2314

September 26, 2023

Shri Tanmay Kumar, IAS
Chairman
CPCB

Subject: MAIT concerns reg. Battery Waste Management Rules

Reference: 2nd meeting of the Implementation Committee constituted under Battery Waste Management Rules 2022, held on 20th September 2023

Respected Sir,

Greetings from MAIT!

At the outset, MAIT would like to thank you for steering the Committee meeting in a democratic manner and patiently hearing all the concerns of the members.

This bears reference to the 2nd meeting of the Implementation Committee constituted under the Battery Waste Management Rules, 2022 held on September 20th 2023. As suggested by CPCB we have collated the industry concerns and would like to seek your guidance on the same.

The industry is facing several concerns w.r.t the implementation and compliances of BWMR 22 as below:

S. No.	Concern	Ask
1	Compliance for FY 2022-23: The industry is unable to demonstrate compliance in FY 2022-2023 due to unavailability of the EPR portal, authorized recyclers and EPR certificates. Besides, battery weight was also included in E-waste EPR targets in FY 22-23 for products covered in Schedule I of E-waste rules	It has been clarified and confirmed by Director-BW that the concern has already been acknowledged by CPCB and MoEF&CC will be releasing an amendment, where there will be no compliance requirement for portable batteries for FY 2022-23. Request to provide clarity about the compliance targets for Industrial Batteries for FY 2022-23. MAIT requests CPCB & MoEF&CC to kindly confirm the timeline for the release of said amendment.
2	Compliance for FY 2023-24: Availability of the finalized SOP & Guidelines for purchase of credits. Zero Recyclers authorized on CPCB portal for generation of EPR certificates [Applied= 26, Authorized=0 as on 21st Sept]. Functionality of EPR Generation & Transfer not ready in CPCB portal.	MAIT requests MoEF&CC and CPCB that the targets should be prorated till the above prerequisites are met as two quarters have already passed and there is no visibility on the onboarding of Recyclers and EPR certificates.

	<p>Mid-year change in methodology for EPR compliance from the collection, key metals; Key metals % composition & conversion factor not yet finalized by CPCB, targets not clear.</p> <p>There is No way for Producers to know which recyclers have the authorization for which key metals recovery – not sure how to select the authorized recyclers.</p>	
3	<p>Compliance for FY 2023-24: Highly ambitious EPR targets, extremely difficult for the industry to comply with.</p> <p>The rule mandates a minimum of 50% recycling of the batteries in FY 2022-23 and over the period of 10 years 100% collection is expected. Even developed economies like the European Union were given 6 years to initiate target-based collection and recycling from the year in which the directive was passed by the European Parliament.</p>	<p>MAIT recommends that the minimum collection targets are aligned with EU rules (even though the EU is well established and mature economy), in a block of 4 years, as below:</p> <ul style="list-style-type: none"> • @ 30% from FY 23-24 to FY 26-27 • @ 50% from FY 27-28 to FY 30-31 • These targets may further be reviewed in FY 31-32
4	Methodology to calculate EPR targets	The recycling target should be based only on the type and the weight of the battery placed in the market and not based on the average percentage of constituents in a battery.
5	Standard Chemical composition	Instead of seeking chemical composition from individual producers, one standard shall be made for the constituents present in the battery as it has been done in the EWMR 2022.
6	In the SOP issued by CPCB for BMWR 2022 compliance, as per Clause 2.4.2, Producers need to submit daily sales entries along with sales invoices on the CPCB EPR portal. Sales invoices of finished products do not carry battery weight data, hence , submission of daily sales data places an unnecessary compliance burden without contributing to the information that is needed for the calculation of EPR obligations under BMWR 2022	In the true spirit of Ease of Doing Business, a Self-declaration methodology to declare details of batteries brought into the market on an annual basis be permitted, similar to what has been done in EWMR & PWMR.
7	Labelling requirements on the battery under the rule is in disharmony with the EU directives as the rules mandatorily require labelling of heavy metal code irrespective of the concentration present in the battery.	Labelling requirements on the batteries should be in sync with EU directives, which makes it mandatory in the EU to label the heavy metal code only when it crosses the threshold limit.
8	SOP/Guideline for Storage & transport of used batteries	MAIT requests CPCB to release SOP/Guideline for storage & transport of used batteries as they are highly hazardous.

9	Clause 4 (14) states that the Producer shall have the obligation with respect to the minimum use of domestically recycled materials in new Battery. It also states that the producers should find a way to export the recycled material.	As per the clause obligation for Importers to use recycled material by other businesses or by way of exporting such quantity of recycled material is practically not possible & and needs to be dropped for Importers.
10	Type of Recyclers	CPCB has defined 4 categories of recyclers R1, R2, R3 and R4. The industry requests more clarity on the types defined.
11	Conversion factors	MAIT requests that the conversion factors to be finalised after industry consultation only.

We are sanguine that our request will be considered and addressed in a positive manner by your good office.

Warm regards,

Col Suhail Zaidi (Retd)
Director General

CC: Shri Satyendra Kumar, IPS, Director, MoEF&CC
 CC: Shri Bharat Kumar Sharma, Member Secretary, CPCB
 CC: Shri Vijay Prakash Yadav, Director, CPCB
 CC: Ms. Youthika Puri, Sr. Environmental Engineer, CPCB