Establishing effective legislative/regulatory frameworks for environmentally sound recycling of Used Lead-acid Batteries.

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Outline of Presentation

• Why regulate the recycling of Used Lead-acid batteries (ULABs)

• Determining the source of power to make legislation/ regulations on ULABs

• Key elements for an effective legislative/regulatory framework
Why regulate the recycling of ULABs

• To protect human health from hazardous exposure

• To protect the environment from the adverse effects of ULABs

• There is economic value in recycling

• Recycling as a source of producing raw material contributes to addressing the question of climate change
Sources of power to make legislation/regulations on ULABs

- Constitution as the supreme law of the land
- Framework Environmental Law
- Chemicals/Hazardous Waste Management Law
Key elements for an effective legislative/regulatory framework

- Definition of key terms
- Regulated Community clearly identified
- Activities and processes to be regulated (or prohibited) are clearly identified and defined
- Clear mechanisms for compliance and enforcement
- Establishment of the regulatory authority
- Sanctions for violations clearly prescribed
Key elements for an effective legislative/regulatory framework – Cont’d

• Provision for public awareness
• Final and transitional provisions
Definition of key terms

- For instance in relation to ULAB waste, you could provide definitions for:
  - Generator
  - Manufacturer/producer
  - Importer
  - Exporter
  - Transporter
  - Collector
  - Recycler
  - Consumer/end-user
  - Lead-acid battery
  - Waste
  - Regulatory Authority
Activities and processes to be regulated

• Collection
• Storage
• Transportation
• Recycling
• Treatment
• Disposal
mechanisms for compliance and enforcement

- Licenses/permits
- National/regional collection systems and recycling schemes
- Extended producer responsibility including take back schemes
- Use of deposits
- Inspections
- Records and Inventories
mechanisms for compliance and enforcement – cont’d

- Hazardous waste movement document
- Notification and consent procedures
- Use of approved waste disposal sites
- Blood lead testing for workers and other affected populations
- Periodic movement of employees to reduce continuous exposure
Obligations and responsibilities of handlers of ULABs

• Responsibility to collect or take back ULABs

• Responsibility to keep records and inventories and submit regular returns

• Ensuring safe transportation and storage of ULABs

• Ensuring adequate labeling on safety
Obligations and responsibilities of handlers of ULABs – Cont’d

• Providing workers with Personal Protection and Equipment

• Informing end-users about take back schemes or deposits

• Responsibility to obtain the relevant license or permit
The Regulatory Authority

This could be:

- The Minister (a department in the Ministry) – and this could be ministry of environment, trade, industry or other relevant ministry

- The Environment Protection Agency

- A special Authority established for this specific purpose
The Regulatory Authority could have various powers including:

- Licensing powers
- Powers to conduct inspections
- Promoting research into environmentally friendly and cost-effective recycling
- Promoting and disseminating public education and awareness on the potential effects of ULABs to the environment and human health
Clearly prescribing sanctions for violations

• The law or regulatory framework should specify the consequences of non-compliance.

• This may include;
  ➢ Prosecution and subsequent imprisonment
  ➢ Imposition of fines
  ➢ Revocation/withdrawal of the relevant license/permit
  ➢ Blacklisting of organization from public procurement
Final provisions

- These may include:
  - Date when the law/regulation comes into effect
  - Transitional provisions e.g. allowing for transition to new technology
  - Appeals e.g. against decision of regulatory authority to issue license
  - General penalties for offences not specifically provided in the body of law/regulation
Thank you