

# Advances of the report: “Extended Producer Responsibility (EPR) Schemes on Used Lead Acid Batteries (ULAB) in Latin American and the Caribbean Region ”

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*Webinar on the Sustainable and Environmentally Sound Management of Used Lead Acid Batteries in Latin America and the Caribbean*

*Facilitated by UNEP Chemicals and Health Branch, UNEP Regional Office for Latin America and the Caribbean and the Basel Convention Regional Centre for the Caribbean*

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# BACKGROUND



ULAB are classified as hazardous waste under the Basel Convention



In 2003, within the framework of the Basel Convention, the “Technical Guidelines for the Environmentally Sound Management of Used Lead Acid Batteries” were developed, and in 2004 the Training Manual for the preparation of management plans.



In 2015, lead exposure was the cause of 495,550 deaths



In 2017, UNEP Resolution 3/9 Elimination of exposure to lead in paint and promotion of the ESM of used lead-acid batteries was issued, and in 2019 a revision was made (UNEP / EA.4 / 14)



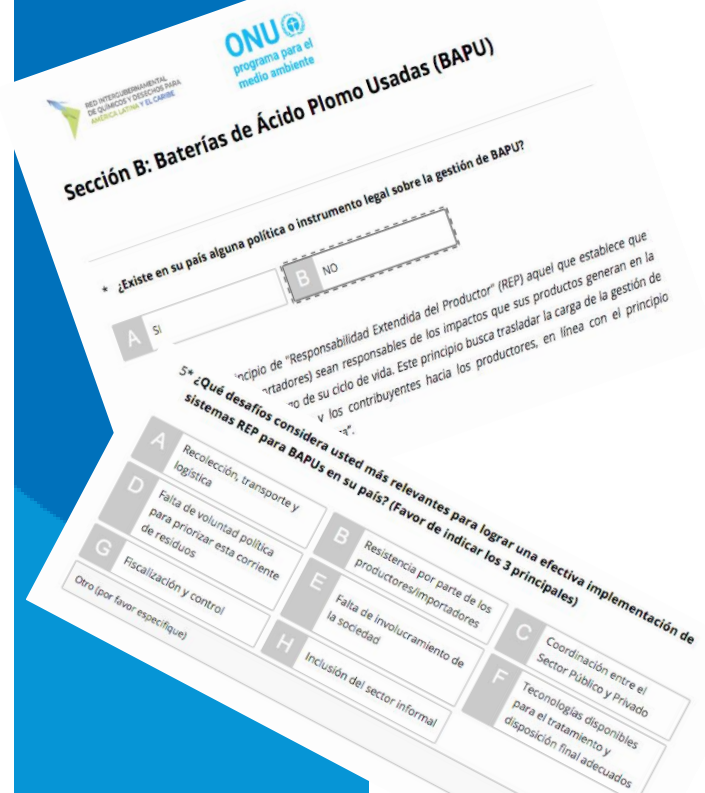
The Intergovernmental Network of Chemicals and Waste for Latin America and the Caribbean has established the implementation of BAT/BEP in hazardous waste and the promotion EPR schemes, as priority tasks.



# OBJECTIVE OF THE REPORT

- Collect **regulations in force** on ULAB in Latin American and the Caribbean Region in order to analyze those experiences that have included **Extended Producer Responsibility (EPR) Schemes**.
- Identify main **lessons learnt** and main **challenges** in the implementation.
- **Set a recommendation list** for the Region to allow countries to effectively implement EPR Schemes on ULAB

# METHODOLOGY



An **online Survey** was sent to the focal points of the intergovernmental network on chemicals and waste of the Latin American and Caribbean region in order to gather information on:

- **Current ULAB regulations**
- **EPR schemes on ULAB**
- **Challenges to achieve Environmental Sound Management (ESM)**

**Bilateral meetings** were established with the study countries:

- **Honduras (09 Sept, 2020)**
- **Dominican Republic (09 Sept, 2020)**
- **Costa Rica (11 Sept, 2020)**
- **Uruguay (14 Sept, 2020)**
- **Colombia (09 Sept, 2020)**
- **Chile (Oct 10, 2020)**

# ULAB ON THE STUDIED COUNTRIES

	Specific Regulations on ULAB	Production of LAB	Import of LAB	Recycling companies	EPR on ULAB	Export of ULAB	Import of ULAB	Specific fee
Chile	Yes (EPR Act & Reg. S2)	No	Yes	Yes	Yes (included in EPR Act)	No	Yes (no requests)	No
Colombia	Yes (Resolution 0372 de 2009)	Yes	Yes (20%)	Yes (3)	Yes (Management plan (300 u/year))	No	No	No
Costa Rica	Yes (Reg. N° 38272-S de Costa Rica)	No	Yes	Yes (1)	Yes (implem. on progress)	No	Yes	No (USD 50 for the Register)
Honduras	No	No	Yes	Yes (1)	Yes (Private initiative)	Yes (Guatemala, Mexico, South Korea)	Yes (in revision)	No
Dominican Republic	Yes (Resolution 008-2015)	Yes	Yes	Yes (1)	Yes (Private initiative)	No (prohibited by sup. Trib)	No (prohib. By Law and const.)	No
Uruguay	Yes (Decr. 373/003)	No	Yes	No	Yes (Master Plan)	Yes (Israel)	No	No



# CHALLENGES AND LESSONS LEARNT IN LATIN AMERICA AND THE CARIBBEAN REGION

# 1) Development of a legal framework

It is important to develop appropriate legal and institutional frameworks to support the effective implementation of EPR schemes on ULAB.

## Recommendations:

- **Include clear definitions**, mainly based on international standards and considering the vision of key Stakeholders
- Bear in mind **a circular economy approach**, considering the entire life cycle of ULAB
- Also consider **products with ULAB assembled** (e.g. vehicles)
- **Identify the responsibilities of each actor**: Producers/importers, retailers, consumers, informal workers and government sector
- **Establish goals** (recovery / recycling rates, stages, times) **SMART**: Specific, Measurable, Achievable, Relevant and Time-bound
- **Include all stakeholders** in the development of the legal framework, there is so much to learn from them!
- Do not forget the **involvement of civil society**, it may be the main ally when establishing this framework
- Establish **efficient institutional mechanisms** to ensure compliance with legislation.

## 2) Selection of the EPR scheme

It is essential to have knowledge of the national and regional situation. EPR instruments can also be used in combination and there is no a unique solution.

The articulation between Customs and Environment is fundamental.

### **Some aspects to bear in mind:**

- Characteristics of the market (production, import, export);
- Produced (and/or imported) quantities of new LAB;
- Imported quantities of ULAB (if import is allowed);
- Recovered amounts (at the formal and informal level, and under the BC);
- HS codes involved;
- National installed capacity for the treatment of ULAB;
- Information on costs;
- Threshold to be included in regulations;
- Health and Safety measures;
- Others



### 3) Financing of the EPR Scheme

- In studied countries so far, the financing of the system is carried out by private sector through the presentation of Management Plans.
- Government intervenes in the surveillance of the Management Plans.

#### Aspects to consider in case of adopting Advance Disposal Fee (ADF):

**TAXPAYERS:** Are they identified? In the case of imports, are the HS codes identified?

**VALUE:** Is there enough information to determine the value of the tax/fee? Is there sufficient data on costs of recovery / logistics administrative costs?

**EFFECTIVENESS:** Can it be ensured that the tax/fee will reach the governmental area in charge of waste management?

In case of applying EPR to products containing LAB (ex. Vehicles), it is necessary to differentiate the responsibilities of each actor (producers / importers of vehicles and LAB)

## 4) Import and Export of ULAB

A central aspect in ULAB management, is the debate on the prohibition of import of Hazardous waste and the demand of the recycling companies to take advantage of the installed capacity.

### Scenarios in the Region:

- **Countries with recycling companies that prohibit import of ULAB:** There is evidence of a demand from companies to increase their installed capacity and comply with the principle of proximity of the CB.
- **Countries with recycling companies that allow import of ULAB:** This represents an opportunity for the region, but the costs are often higher than treatment in long-haul.
- **Countries with no recycling companies:** Generally they prohibit import of ULAB and allow export under the BC at the lowest cost.

Each Party shall take the appropriate measures to: ... ensure that the transboundary movement of HW is reduced to minimum (BC art.4) 2) d)).

## 5) Surveillance and control

There is a great need to strengthen the national capacity for surveillance and control throughout the life cycle of ULAB:

### **Some activities under surveillance and control:**

- Customs control
- Analysis of the presentation of the Management Plans
- Control in reception centers and collection points
- Inspection in transport
- Environmental, Health and Safety (EHS) control in recycling companies
- Control of compliance with the Basel Convention in the case of Transboundary Movements of ULAB

**Thank you very much!!**

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