

REGULATION

ON THE REQUIREMENTS FOR PRODUCTION AND MARKETING OF BATTERIES AND ACCUMULATORS AND FOR TREATMENT AND TRANSPORT OF SPENT BATTERIES AND ACCUMULATORS

dated 17.07.2000

Chapter One GENERAL CONDITIONS

Article 1

(1) The regulation determines the requirements for production, putting into market and storage of batteries and accumulators containing certain dangerous substances and also for controlled treatment and disposal of spent batteries and accumulators.

(2) The Regulations aims at determination of the proper measures and requirements for prevention or limitation to the highest possible extend of the negative impacts upon environment and the resulting human health threat, therefore launching the relevant requirements upon the batteries and accumulators pit into market regarding:

1. dangerous substances content in the batteries and accumulators
2. labeling
3. separate collection of the spent batteries and accumulators
4. environment-compatible treatment and disposal of spent batteries and accumulators

Article 2

The management activities concerning the disposal of spent batteries and accumulators shall be organized on the basis of the following principles:

1. prevention of direct risk upon environment and human health;
2. rational utilization of the available input resources
3. responsibility of the producers and importers for the batteries and accumulators put into market from them
4. public participation in Domestic Waste Management Programs preparation.

Article 3 (in force since 01.01.2002)

- (1.) Prohibition exists on production, import and putting into market of alkaline batteries containing manganese dioxide more than 0,0005% of mercury by weight, including the cases when these batteries are incorporated into appliance.
- (2.) The prohibition under Article 1 shall not apply to galvanic elements 'button' type having content not exceeding 2% mercury by weight and to the batteries consisting of such elements.

Article 4 (in force since 01.01.2003)

(1) Prohibition exists on production, import and putting into market of appliance, containing the batteries referred to in Annex 1:

1. When the batteries contained into that appliance are incorporated and could not be removed by the consumer, and

2. The exploitation manual does not indicate how the batteries shall be removed by the consumer.
- (2) The prohibition pursuant to paragraph 1 shall not apply to the category of appliance included in Annex 2.

Article 5

Prohibitions exist on the production, import and putting into the market of batteries and accumulators containing mercury, cadmium or lead in quantities exceeding those referred to in Annex 1, as well as appliance containing batteries or accumulators if the labeling of above-mentioned batteries, accumulators and appliance does not meet the provisions laid down in this Regulation herein.

Chapter Two

LABELING OF BATTERIES AND ACCUMULATORS CONTAINING DANGEROUS SUBSTANCES

Article 6

- (1) Producers and/or importers batteries and accumulators are obliged to label the supplied and put into market by them batteries and accumulators, also the appliance into which they are incorporated, with respect to the provisions of that Regulation herein.
- (2) The labelling must include indications as to the following points:
 1. Separate collection
 2. heavy metal content
 3. recycling - where appropriate

Article 7

- (1) The symbols indicating separate collection shall present one container crossed through.
- (2) The symbols indicating the separate collection are presented in Annex 3.
- (3) The use of any of the two symbols referred to in Annex 3 is considered equivalent.
- (4) The decision for label choice on batteries and accumulators covered by Annex 1 shall be made by the person in charge for the labeling pursuant to Article 11.
- (5) The symbol shall cover 3% of the surface of the biggest side of the battery or accumulator, but not more than 5x5cm. For cylindrical batteries and accumulators the symbol shall cover 3% from the battery and accumulator surface with the maximal size 5x5cm.
- (6) In cases when the battery or the accumulator is such that the symbol have to be less than 0,5x0,5cm, the battery or accumulator is not obligatory to be marked, but symbols sized 1x1cm must be printed on the packaging.

Article 8

The symbol indicating heavy metal content shall consist of the chemical symbol of the metal concerned - Hg, Cd or Pb according to the type of battery or accumulator concerned, as described in Annex 1.

Article 9

The symbol referred to in Article 8 shall be printed beneath the symbol referred to in Article 7 and it shall cover an area of at least one quarter the size of the symbol under paragraph 5 of the above-cited Article.

Article 10

The symbols referred to in Articles 7 and 8 shall be printed visibly, legibly and in a chemically resistant way.

Article 11

The labelling referred to in Articles 7 and 8 shall be applied only by the producer of battery or accumulators, or by his authorized representative on the territory of Republic of Bulgaria.

Chapter Three

REQUIREMENTS FOR COLLECTION, TREATMENT AND DISPOSAL OF SPENT BATTERIES AND ACCUMULATORS

Article 12 (in force since 01.01.2002)

- (1) The producers and/or importers of batteries and accumulators must ensure the separate collection and where technical and economically feasible – treatment of the batteries and accumulators put by them into the market.
- (2) The execution of the obligations referred to in paragraph 1 shall be performed through the execution of one or more of the following steps:
 1. Deposit system introduction;
 2. Contract with specialized companies dealing with collection, treatment and/or disposal of spent batteries and accumulators;
 3. Trade discounts;
 4. Contracts with retailers;
 5. Public campaigns etc.
- (3) While selecting the appropriate system under paragraph 2 shall be considered the requirement that the collection system for spent batteries and accumulators should be nationwide.
- (4) The producers and the importers inform in written the Ministry of Environment and Water (MEW) about the steps they intend to undertake in order to achieve fulfillment of the obligations under paragraph 1 and 2, thus submitting information about:
 1. Measures restricting the dangerous substances content into the batteries and accumulators put into market by them;
 2. Methods for organization of collection, storage, treatment and recovery of the collected batteries in regard to their re-use, including sorting of batteries for treatment;
 3. Sources financing the proposed steps;
 4. measures that have been or will be applied in case of temporary stop or decreasing of the collection or disposal rate;
 5. measures that have been taken or will be taken to ensure collection and further treatment, in case when the producers or importers terminate their activities;
 6. Activities to be taken by producers or importers to inform and encourage the customers to separate the batteries and to transfer them in the appropriate sites.

Article 13

On an year basis the MEW shall publish the list of producers and importers of batteries and accumulators which comply with the requirements of Article 12.

Article 14

- (1) The activities concerning the collection, storage, treatment and/or disposal of spent batteries and accumulators shall be performed by persons having permits under Article 37 of the LHIWEA.
- (2) During the execution of the activities referred to in paragraph 1 shall be met the provisions of Regulation on Requirements for Treatment and Transportation of Industrial and Hazardous Waste (SG issue 29/1999).

Persons performing activities under paragraph 1 keep records books and prepare and submit to the Regional Inspectorates of Environment and Water an annual report on hazardous waste according to **Regulation No.10/1998** Regulation on the Procedure for Filling out of Report and Information Documents for the Waste Management Activities

- (1) (SG issue 151/1998).

Article 15

- (1) The spent batteries and accumulators are collected separately.
- (2) Prohibition exists on disposal of spent batteries and accumulators into solid waste containers, as well as mixing with other type of wastes.

Article 16

During submission, transportation and acceptance of spent batteries and accumulators, the persons acting under Article 14 fill in report cards on “Transferring, transportation and acceptance of hazardous waste” according to the provisions of the **Regulation No.10** on the Procedure for Filling out of Report and Information Documents for the Waste Management Activities

Article 17

- (1) Disposal of separate collected spent batteries and accumulators or spare parts, is allowed only if it is not available technical possibility for their treatment in the country till the moment of their collection.
- (2) Waste resulted from spent batteries and accumulators shall be deposited into hazardous waste landfills only, in compliance with the Regulation No.13 on the Conditions and Requirements towards the Construction and Operation of Waste Landfills (SG issue 152/1998).
- (3) In cases under paragraph 2, the waste is deposited separately in specialized containers according to type and/or are subjected to pre-treatment aiming at reduction of the solubility of dangerous substances, contained into the batteries and accumulators, in landfill conditions (for example cementing or enclosing in capsules).
- (4) The containers under paragraph 3 shall comply with the following requirements:
 1. To be corrosion-resistible towards the substances contained into the batteries and accumulators, and the container material should not react with them;
 2. To be resistible to external impacts into the deposition site.

Article 18

- (1) The submission, transportation and storage of spent batteries and accumulators is performed in specialized collection containers meeting the requirements given bellows:

1. To be corrosion-resistible towards the substances contained into batteries and accumulators, and the material they are made of not to react with them;
 2. To ensure air ventilation;
 3. To be marked with a label :”Spent Batteries” and with one of the symbols referred to in Annex 3.
- (2) It is not allowable placement of containers for collection and storage of spent batteries under open air.

Article 19

- (1) The sites for placement of containers for collection and storage of spent batteries are determined by the Municipal Councils.
- (2) To determine the number of container placement sites, the following requirements are to be complied:
 1. At least one spent batteries collection site for 1 000 inhabitants;
 2. Involvement of the public and the concerned companies and organizations.

Article 20

- (1) The facility sites under Article 19 paragraph 1 obligatory include batteries selling sites.
- (2) The persons offering batteries for retailing must foresee spent batteries collection sites.
- (3) The persons under paragraph 2 must ensure access to the collection containers on their sites.

Article 21

The right to locate spent batteries collection containers at the sites under Article 19, have persons granted with permits under Article 37 paragraph 1 of the LHIWEA.

Article 22

- (1) The spent batteries shall be sorted and stored separately according to type and content in such a way as not to disturb their further treatment.
- (2) It is not allowed storage of unsorted batteries for period longer than 30 days since the acceptance day in the collection and disposal site.

Article 23

The persons offering accumulators for retail shall enclose to the guarantee card a list of persons, granted with permit for collection of spent batteries, under Article 37 paragraph 1 of the LHIWEA.

Article 24

- (1) Spent accumulators are collected:
 1. In stationary collection sites;
 2. In non-stationary collection sites – directly on situ at the place of their origin, by specially equipped vehicles.
- (2) Stationary collection sites are designed, equipped and operated according to paragraph 1, items 1 and 2 from the requirements on facilities and installations for temporary storage of waste according to Annex 2 of the Regulation on Requirements for the Treatment and Transportation of Industrial and Hazardous Waste.
- (3) Non-stationary collection sites are equipped and operated in a way ensuring the compatibility with the provisions laid down in chapter three “Transportation of

Industrial and Hazardous Waste” of the Regulation on the Requirements for Treatment and Transportation of Industrial and Hazardous Waste.

(4) The collection facilities under paragraph 1 shall be marked with labels “Spent Accumulators Collection Facility” having size not less than 0,8x1m.

(5) Prohibition exists on storage of spent accumulators in non-stationary collection facilities for a period exceeding 24hours.

(6) Prohibition exists on storage of spent accumulators in open air storehouses.

Article 25

(1) Prohibition exists on uncontrolled release and/or abandonment of spent accumulators, as well as uncontrolled release, abandonment and/or pouring away of electrolyte from spent accumulators.

(2) Prohibition exists on collection of spent accumulators without electrolyte, excluding the cases when they have been damaged in circumstances beyond the responsibility of the person collecting them.

(3) The availability of spent accumulators without electrolyte in collection sites, in quantity exceeding 5% of the total collected accumulates number, and the rejection by the persons collecting spent accumulators to accept accumulators containing electrolyte, is a ground for suspension of the permit under Article 37 of the LHIWEA.

(4) The provisions referred to in paragraph 3 shall not apply to cases when accumulators in collection sites are imported, which is proven by permit under Article 51 of the LHIWEA.

Article 26

(1) (in force since 01.01.2003) Prohibition exists on deposition, combustion and/or disposal by any other means of lead-acid accumulators and spare parts or components (electrolyte and others), except those provided in the Regulation herein.

(2) (in force since 01.01.2003) In compliance to the provision laid down in paragraph 1, the spent accumulators collectors shall ensure spent accumulators treatment or transfer to treatment.

(3) The treatment technologies applied to spent accumulators have to guarantee lead extraction rate not lower than 95%.

Chapter Four PRODUCT CHARGES

Article 27

(1) Product charges are to be paid when putting into market of batteries and accumulators in Republic of Bulgaria, according to the tariff quoted in Annex 4.

(2) The charges are paid:

1. By the producers of batteries and accumulators on the territory of Republic of Bulgaria, when they are put into market in that country;
2. By the importers of batteries and accumulators:
 - a) according to custom tariff position 8506, excluding tariff No. 8506 90 00 0;
 - b) according to custom tariff positions 8507, excluding tariff No. 8507 90.

Article 28

- (1) The producers of batteries and accumulators impose the product charge on the date of invoice issuing or on the date it was due to be issued.
- (2) The producers of batteries and accumulators pay in the charges, imposed or supposed to be imposed, in the National Environmental Protection Fund of the Ministry of Environment and Water, not later than the 28th date of any month.
- (3) The importers of batteries and accumulators pay in the charges, imposed or supposed to be imposed, in the National Environmental Protection Fund of the Ministry of Environment and Water, simultaneously with the custom payments.
- (4) The document for charge paying in includes information about the payment reason.

Article 29

- (1) In cases of export of batteries and accumulators by their direct producer, product charge is not imposed.
- (2) The person, which is not producer of batteries and accumulators and export such with already charge paid, has the right of charge refunding, based on export proving documents submitted to the National Environmental Protection Fund.
- (3) The person pursuant to paragraph 2 proves the export submitting the following documents:
 1. invoice for purchase of goods stating the total price and the product charge stated separately;
 2. export invoice;
 3. custom export declaration;
 4. application form-declaration according to Annex 5.
- (4) The National Environmental Protection Fund after confirming the reasons for application for product charge refunding, transfer the sum to the bank account of the person pursuant to paragraph 2 within 20 days after the submission of the documents referred to in paragraph 3

Article 30

Annually the MEW in coordination with the producers of accumulators set out average basic weight for the different types lead-acid accumulators produced on the territory of Bulgaria. The producers of the lead-acid accumulators use the average basic weight to determine the amount of the charge per number accumulators.

Article 31

The funds raised according to Article 27, which are not subject to refunding according to Article 29 paragraph 2, could be spent for investment and operational expenses for encouraging the separate collection, treatment and/or disposal of the spent batteries and accumulators according to the provisions of the Regulation for Collection, Spending and Control of the Finance of the Environmental Protection Related Funds (promulgated SG 75/1995, amended SG 72 and 106/1996, SG 42 and 54/1997, SG 5 and 81/1999 and SG 48/2000)

Chapter Five PLANNING AND INFORMATION

Article 32 (in force since 01.01.2002)

- (1) The Municipal Council comply the programs under Article 28 of the LHIWEA with the provisions of the Regulation herein.

- (2) Not later than 6 month after the regulation entering into force, the municipal mayors present to the Regional Inspectorates of Environment and Water the decision under Article 19 paragraph 1.

Article 33 (in force since 01.01.2002)

The producers and importers of batteries and accumulators submit annually not later than the 31st of March to the MEW information about the previous year, containing:

1. Report as a free text on the implementation of the measures under Article 12;
2. Reference data sheet according to the Annex 6

ADDITIONAL PROVISION

§1. Pursuant to the Regulation:

1. 'Battery or accumulator' shall mean: a source of electrical energy generated by direct conversion of chemical energy and consisting of one or more primary (non-rechargeable) batteries or secondary (rechargeable) cells.
2. 'Accumulator' shall mean: electro-chemical system able to convert the received external energy into chemical one, to store it and to transfer it back as converted in electrical.
3. 'Spent battery or accumulator' shall mean: any battery or accumulator not suitable for reuse and destined for treatment or disposal.
4. 'Disposal' shall mean: any operation referred to in Annex 1A under Article 4 of the Regulation on the Requirements on Treatment and Disposal of Industrial and Hazardous Waste, which is applicable to spent batteries and accumulators.
5. 'Treatment' shall mean: any operation referred to in Annex 2B under Article 4 of the Regulation on the Requirements on Treatment and Disposal of Industrial and Hazardous Waste, applicable to spent batteries and accumulators.
6. 'Collection' shall mean: gathering, sorting and/or grouping together of batteries and accumulators.

For collection shall not be considered any placement of spent batteries and accumulators collection containers by persons selling batteries and accumulators, in the cases when the containers are operated by second person granted with permit under Article 37 of the LHIWEA.

7. "Deposit system" shall mean: a system under which the buyer, upon purchase of batteries or accumulators, pays the seller a sum of money which is refunded when the spent battery or accumulators are returned.
8. 'Consumers appliance' shall mean: appliance designed for household use, containing one ore more batteries.
9. 'Production' shall mean: production of batteries and accumulators aiming at putting into market in Republic of Bulgaria.
10. 'Storage of batteries and accumulators' shall mean: any kind of logistics in storage facilitates for marketing in Republic of Bulgaria.
11. 'Charge' shall mean: a payment benefiting the National Environmental Protection Fund bank account.

TRANSITIVE AND CONCLUDING PROVISIONS

§2. The regulation is adopted pursuant to Article 23, paragraph 1 and §11a of the Transitive and Concluding Provisions of the LHIWEA

§3. The regulation shall become effective as of 1st of January 2001.

§4. The provision of Articles 3, 12, 32 and 33 shall become effective as of 1st of January 2002.

§5. The provision of Article 4 and Article 26 paragraphs 1 and 2 shall become effective as of 1st of January 2003.

§6. The Minister of Environment and Water shall issue instructions and orders on the implementation of that Regulation.

Annex 1

Supplement to Article 4, paragraph 1

Categories Batteries and Accumulators Containing Dangerous Substances

1. Batteries and accumulators put on the market as from the 1st of January 1999 containing more than 0,0005% mercury by weight.
2. Batteries and accumulators put on the market as from the 18th of September 1992 containing:
 - more than 25mg mercury per cell, except alkaline manganese batteries;
 - more than 0,025% cadmium by weight;
 - more than 4% lead by weight.
3. Alkaline manganese batteries containing more than 0,025% mercury by weight put on the market as from the 18th of September 1992.

Annex 2

Supplement to Article 4, paragraph 2

List of Categories of Appliance Excluded from the Scope of Article 4 paragraph 1

1. Those appliance whose batteries are soldered, welded or otherwise permanently attached to the terminals to ensure the necessarily continuity of power supply in demanding industry usage and to preserve the memory and data functions of information technology and business equipment, where use of batteries and accumulators referred to in Annex 1 is necessarily.
2. The reference cells for scientific and professional equipment, and batteries and accumulators placed in medical devices designed to maintain vital functions and in heart pacemakers, where uninterrupted functioning is essential and the batteries and accumulators can be removed only by qualified personnel.
3. Portable appliance where replacement of the batteries and accumulators by unqualified personnel could present safety hazard to the user or could affect the

operation of the appliance, and professional equipment intended for use in highly sensitive surroundings, for example in the presence of volatile substances.

Those appliance the batteries and accumulators of which cannot be readily replaced by the user, shall be accompanied by instructions informing the user of the content of batteries and accumulators causing environmental hazard and showing how they can be removed safely.

Annex 3
Supplement to Article 7

Separate Collection Marking of Spent Batteries and Accumulators

(two images)

Annex 4
Supplement to Article 27

Tariff for Batteries and Accumulators Charges

1. The charge for batteries and accumulators is calculated according to the formulae: $P=T \cdot E$, where P - total amount of the charge; T- amount of batteries or accumulators in kg; E - charge amount in lv/kg.
2. The amount of the charge (E) is determined in dependence of the type of the batteries and accumulators as follow:

Custom Tariff Number	Batteries and accumulators type	Charge (E), lv/kg
8506	Electrical batteries containing one or more galvanic elements including:	
8506 10	with manganese dioxide	0,8
8506 30	with mercury dioxide	0,8
8506 40	with silver oxide	0,8
8506 50	with lithium	0,8
8506 60	air-zinc	0,8
8506 80	other	0,8
8507	Electrical accumulators including their separators, including with square and rectangular shape, including:	
8507 10	lead - types used for start of valve engines	0,1
8507 20	other lead accumulators	0,1
8507 30	nickel-cadmium	0,8
8507 40	nickel-iron	0,8
8507 80	others	0,8

Annex 5

Supplement to Article 29, paragraph 3, item 4

To the National Environmental Protection Fund
of the Ministry of Environment and Water

Application Form/Declaration

on refunding of imposed product charge for batteries and accumulators

A. Name and Address of the Person	Tax Number
-----------------------------------	------------

No.	Name and custom tariff number according to Annex 4	Quantity/kg / for which the charge is to be refunded	Single unit/ charge (lv)	Total amount, (lv)

Total:

The undersigned,.....,

I declare that I represent the person cited in cell A, and the quoted into this form
information is truthful and exact.

I am aware that for untruthful data I am responsible under Article 313 of the Penalty
Code.

Date:.....

Position:.....

Signature and Seal.....

Remark: The form must be filled in typing. The monetary terms are in Bulgarian
Leva.

REGULATION ON THE REQUIREMENTS FOR PRODUCTION AND MARKETING OF
BATTERIES AND ACCUMULATORS AND FOR TREATMENT AND TRANSPORT OF SPENT BATTERIES AND
ACCUMULATORS

Annex 6
Supplement to Article 33, item 2

Company/Organization:
BULSTAT:
Permit under the LHM:
Address:
Telephone:
Fax number:

Reference Data Sheet
on batteries and accumulators
for the period 1st of January - 31st of Decemberyear

Batteries and accumulators type					Batteries and accumulators					
No.	Trade brand	Type (according to Annex 4)	Custom tariff number (according to Annex 4)	Single weight per unit	Produced	Imported	Exported	Separately collected and treated and disposed		
				kg	number	kg	number	kg	kg	kg
I	II	III	IV	V	VI	VI I	VI II	IX	X	XI
1.										
2.										
3.										
4.										

Date:.....

Manager:.....
(seal and signature)