

# TERRAPRO

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## *FAQs related to CEEW5 Disposal/ Recycling*

### **Q1. What is the new date of implementation for EPR and to whom is it applicable?**

The new date of implementation for E-waste management rules, 2016 is 1<sup>st</sup> May 2017. It is applicable to all the producers who were already producing and marketing their products prior to 1<sup>st</sup> October 2016. However, in case of new Producers, who are planning to setup business post 1<sup>st</sup> Oct 2016, they have to obtain the EPR Authorization prior to commencing business.

### **Q2. As per the new date of implementation, what are the targets for FY2017-18?**

For the first two years of implementation, the targets are 30% of the total e-waste generated. On pro-rata basis the target for FY2017-18 is 27.5% of the total e-waste generated.

### **Q3. Various e-commerce companies are also selling our company's products. Whose liability is it to take back the e-waste generated by the products sold on their platform?**

Most of the e-commerce companies work as a market platform and they do not sell any product under their brand name. The responsibility of taking EEE back from the consumers rests on the brand owner in case the product is sourced from within India. In case they are importing any product/brand from outside India, it is the responsibility of the e-commerce company to take-back and recycle the EEES.

### **Q4. What are the implications if a Producer offers a Deposit Refund Scheme (DRS) with the initial sale of the product?**

In case a DRS is introduced to make EPR more effective and target based, the producer has to obtain all applicable approvals/permissions as per the laws of India. The deposit and subsequent return to the customer could come under the purview of NBFC activity and hence approvals could be required from the Reserve Bank of India.

Also, the producer has to decide an appropriate amount of interest rate to be offered to the customer so that the customer feels incentivised to return the EEE to the producer.

### **Q5. What is the responsibility of a third party manufacturer in case he is manufacturing for multiple lighting companies?**

The responsibility of a third party manufacturer would be for the e-waste discard generated from undertaking the manufacturing at its plant/factory. Since the third party manufacturer does not own the brand, it would not come under the purview of EPR.

**Q6. As a Producer, I already have authorization by Pollution Control Board; would I need to apply afresh for the Authorization under e-waste rules, 2016?**

All producers would have to apply afresh for authorization as per the new e-waste rules, 2016.

**Q7. As a manufacturer, do I have to apply for authorization?**

Yes, since the manufacturer authorization was not there in the e-waste rules, 2011

**Q8. Considering there would be a large number of collection points across India, would it be mandatory for these collection points to follow the manifest process?**

Yes, under the provision of the rules, any transportation of e-waste shall mandatorily follow the manifest system.

**Q9. Whether CFL and other mercury containing lamps have to comply with only Schedule I or Schedule I and II both, w.r.t the Reduction of Hazardous Substances (RoHS)?**

The sub-Rule 1 of Rule 16 is about Reduction of Hazardous substances (ROHS) in the items mentioned in Schedule I. Nowhere in the E-waste Rules it is written that any item listed in Schedule I is exempted from application of these E- waste Management Rules, 2016. Since, fluorescent and other mercury containing lamps are listed in Schedule I as CEEW5, the producers of such items have to comply with the provisions of E-waste (Management) Rules, 2016 as well with the Schedule II with respect to ROHS.

**Q10. For compliance with RoHS do I need to attach all the documents such as test reports of various/sub-parts, assemblies etc. with the declaration?**

The technical documents in respect of RoHS compliance should be available with the producer and a declaration can be submitted to CPCB that such technical documents have been maintained. It is not mandated to submit the technical documents to CPCB.

**Q11. As a producer, what should I do in case I am only partially/not compliant with RoHS?**

In case you are partially/not compliant with RoHS, you can provide a roadmap to CPCB to be fully compliant at a planned future date. It is highly recommended that you meet RoHS compliance within six months of providing this plan.

**Q12. What about the RoHS compliance for the products already placed in the market?**

Components or consumables or parts or spares required for the electrical and Electronic equipment placed in the market prior to 1st May, 2014 may be exempted from the

provisions of RoHS under sub-rule (1) of rule 16 provided Reduction of Hazardous Substances compliant parts and spares are not available.

**Q13. What is the unit of calculation for waste generation and target?**

The unit for calculation for waste generation and target is either Quantity/Number or Weight or both, and same has to be mentioned in the form for filing annual returns to Central Pollution Control Board.

**Q14. The target specified by CPCB is state specific target or national target?**

The target mentioned under the rules is national target and thus an average of all the states where producer have the business need is to be met.

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