

SUPERINTENDENCE OF ENVIRONMENT ISSUES GENERAL INSTRUCTIONS RELATED TO COMPLIANCE WITH EPR LAW

By means of Resolution No. 2,084, published in the Official Gazette on December 27, 2023, the Superintendence of Environment ("SMA") issued a general instruction on data traceability, monthly reports, and content of EPR Law compliance reports (the "General Instruction").

The General Instruction establishes obligations associated with priority products, such as the obligation of producers subject to the collection and recovery goals to keep a digital registry at their facilities of all their priority products, among others. In addition, the management systems must report monthly to the SMA the consolidated results of the introduction of priority products into the national market.

Regarding compliance with the collection and recovery goals, the General Instruction establishes that management systems, industrial consumers and waste managers must keep a digital record of the waste management operations carried out at their facilities. Likewise, for management systems and waste managers, the General Instruction establishes the obligation to report monthly to the SMA the consolidated results of the waste management operations carried out.

In connection with compliance guarantees, the General Instruction establishes that as of the second year of operation of a collective management system, the guarantee will be calculated on the basis of the monthly waste management reports.

The General Instruction will come into force on January 1, 2025. Before such date, the management systems must submit, along with the final compliance report submitted at the Pollutant Release and Transfer Register, an annex with the consolidated data of priority products introduced to the national market and of the waste management operations.

This news alert is provided by Carey y Cía. Ltda. for educational and informational purposes only and is not intended and should not be construed as legal advice.

Carey y Cía. Ltda.
Isidora Goyenechea 2800, 43rd Floor.
Las Condes, Santiago, Chile.
www.carey.cl

Authors: Manuel José Barros; Julio Recordon