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To: Waste Disposal Authorities in England

HOUSEHOLD WEEE IN THE UK UNDER THE WASTE ELECTRICAL & ELECTRONIC EQUIPMENT (WEEE) REGULATIONS AND THE ROLE OF LOCAL AUTHORITIES

I am aware that a lot of mixed messages have been circulating regarding the UK WEEE system, and I would therefore like to clarify a number of aspects of how the Government expects the WEEE system to operate from 1 July 2007 in relation to local authority involvement.

Summary of the aims of the WEEE Regulations

The Government's WEEE Regulations introduce a new system for the management of WEEE in the UK from 1 July 2007, in accordance with the requirements of the EU WEEE Directive. The aim of the WEEE Directive is to minimise the negative environmental and health impacts of WEEE, and contribute positively to sustainable development by maximising the separate collection of WEEE from other forms of waste. This separate collection is the precursor to the appropriate treatment of WEEE and subsequent re-use, recycling and recovery of WEEE and environmentally sound disposal of any residual WEEE.

Historically in the UK, household WEEE has either not been separately collected from other forms of waste, or where it has been separately collected it has not be

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treated prior to reprocessing (with the exception recently of refrigeration equipment containing ozone depleting substances (ODS), cathode ray tube containing equipment (which contains lead), and gas discharge lamps (which contain mercury).

Where WEEE has been recycled in the UK prior to the WEEE Regulations this has primarily been undertaken for purely commercial reasons to obtain the value from secondary metals.

The WEEE Directive requires the UK to:

- Maximise the separate collection of household WEEE from other forms of household waste;
- Ensure this WEEE is treated appropriately to protect the environment;
- Re-use, recycle and recover WEEE to target levels, and beyond the metallic content, for environmental protection and to contribute to greater levels of sustainable development;
- Dispose of any residual WEEE in an environmentally sound manner.

This is all reflected in the DTI's WEEE Regulations, in DEFRA's, Scotland's & Northern Ireland's associated Treatment Regulations, and the published Guidance supporting these.

Producer Responsibility

The WEEE Directive and hence the WEEE Regulations introduce extended producer responsibility (EPR) for WEEE from private households that is separately collected at specific locations. The WEEE Directive refers to these as central collection facilities. In the UK these are called Designated Collection Facilities (DCFs). In addition to this, the UK Regulations introduce EPR for separately collected WEEE that is returned under Regulation 32 of the WEEE Regulations, or is separately collected under a system established by a producer, following approval by the DTI.

Extended Producer Responsibility in terms of the financing of the collection, treatment, recovery of WEEE to target levels, and environmentally sound disposal of residual WEEE will operate in the UK from 1 July 2007 only for WEEE that passes through a DCF, is returned via Regulation 32, or is collected via an approved producer own-system. All other separately collected household WEEE is not subject to the financing requirements of EPR.

The WEEE Regulations and Local Authorities

Local Authorities are of course currently involved with household WEEE in the UK in two main ways. Firstly, via the collection of household WEEE at Civic Amenity (CA)/Re-use and Recycling (R&R) sites when it is deposited by local residents. Secondly, via bulky waste collections of WEEE from the homes of local residents which in some cases may be returned to waste transfer stations (WTSs).

Options for Local Authorities

Local Authorities have two options;-

- Apply for their Civic Amenity Sites/Re-use and Recovery sites or Waste Transfer Stations to become DCFs;

Such an approach will mean that producers will pick up the costs associated with the collection of WEEE from DCFs and its treatment and recovery. All WEEE dealt with in this manner still counts towards Local Authority recycling targets.

- Stay outside of the Producer Responsibility WEEE system and fund the treatment and recovery of any separately collected WEEE at their sites and waste transfer stations.

Designated Collection Facilities and Collection Categories of WEEE

Each site that becomes a DCF, and is open to the public (we recognise that some Waste Transfer Stations are not open to the public – but this will not stop them being a DCF if they choose), is expected to play an active role in maximising the separate collection of WEEE.

It has been proposed for some time now that there should be five separate categories for collection of household WEEE at public DCFs. These categories are:

- A) Large household appliances other than cooling appliances;
- B) Cooling appliances containing refrigerants;
- C) Display equipment containing Cathode Ray Tubes (CRTs);
- D) Gas discharge lamps;
- E) All other WEEE.

In order to benefit from free collection, all household WEEE which is separately collected at a DCF, other than that which has been removed for re-use as whole appliances, should be made available to producer compliance schemes (PCSs) for

collection, treatment and recovery. Existing WEEE collection arrangements should only remain in place with the agreement of PCSs. Public DCFs are expected to separately collect all five categories of WEEE except where capacity constraints make this impossible. Where sufficient space is available on site, but fewer than five categories are collected, site operators will be asked explain why this is the case when applying to register their sites as DCFs. This is to ensure that collection categories are only excluded for the reasons provided for in the code of practice.

Categories B), C), and D) are already separately collected at Local Authority sites because this forms the basis of the 'new burden' currently financed by the DTI.

Large household appliances are already separately collected at Local Authority sites because they are deposited by local residents at locations separate from other forms of household waste, such as packaging and green waste. Large appliances are also separately collected via Bulky Waste Collections.

Under the WEEE Regulations such goods must be treated in accordance with the WEEE Regulations and must not simply be mixed with other scrap metal products.

This leaves 'mixed' WEEE, category E) above.

It is not expected that DCF operators should open 'black bags' delivered by local residents to determine whether these contain any items of WEEE. But where a local resident returns even a small item of WEEE for the purposes of playing his/her part in protecting the environment this should be respected and there should be some space available for that resident to deposit it separately from other waste.

Given the relatively small size of equipment in category E, and the fact that DCFs will be serviced by producer compliance schemes (PCSs) in terms of the regular clearance of separately collected WEEE, it is anticipated that most sites will provide separate collection for smaller items of WEEE.

DCFs and PCSs

Once sites are approved as DCFs, Local Authorities will need to contract with PCSs for the collection, treatment and recovery of any WEEE arising at those sites. When considering and evaluating potential PCSs, Local Authorities are advised to look at service levels and service enhancements. In terms of length of contract, an initial term of no less than 6 months and no more than 18 months, with an option to renew of 12 months, would seem to be desirable. Contract negotiations should involve both local authority representatives and their independent contractors.

If a Local Authority cannot find a PCS to clear separately collected WEEE arising at its DCF sites, the Local Authority should contact the DTI immediately. The DTI will broker discussions between PCSs and the Local Authority to provide sites with the appropriate level of coverage at a local level.

Bulky Waste Collections

From 1 July 2007, WEEE collected via Bulky Waste Collection services will be considered to have been separately collected WEEE for the purposes of the WEEE Regulations.

Given that this is the collection of WEEE and not take-back, it is at the discretion of Local Authorities to charge for this service or not, but these charges should be appropriate to the service provided.

If WEEE collected by Bulky Waste Collections does not pass through a DCF it will not be subject to producer responsibility in the UK and the Local Authority undertaking such collection will need to finance the treatment and recovery.

Local Authorities are able to register all their Waste Transfer Stations (WTSs) as DCFs under the UK's WEEE system.

DCF Registration

I thought it would be helpful for local authorities to have this information before applying to register sites as Designated Collection Facilities. As you are aware the first deadline for registration is 4 May 2007. There will be two further registration opportunities during 2007 the dates for which will be announced at a later date.

A copy of this letter is being posted on the DTI website at:-

<http://www.dti.gov.uk/innovation/sustainability/weee/page30269.html>

Yours sincerely

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