



8 February 2013

GUIDANCE DOCUMENT ON MEASURING ALL WEEE FLOWS AND ESTABLISHING WEEE TREATMENT STANDARDS

UNDER THE WEEE RECAST IMPLEMENTATION

Summary position

The recommendations below are inextricably bound up with each other

1. In order to demonstrate achievement of the collection rates laid down in article 7.1 and in accordance with article 7.2, all permitted WEEE treatment operators¹ must report on all WEEE received regardless of the source or of the contracting party. This will ensure that all proper treatment is reported and counted towards the achievement of the collection rate.
2. In order for Member States to achieve obligations laid down by article 16.4, legislation must support the mandatory reporting by all permitted WEEE treatment operators, to an independent authorized register, which may be financed by producers.
3. Member States and the Commission must promote minimum quality standards adopted by CENELEC for collection and treatment of WEEE pursuant to article 8.5 and the Commission must adopt an implementing act that ensures uniform conditions for the collection and treatment of WEEE (including recovery, recycling and preparing for re-use).
4. In order to achieve a high quality of WEEE treatment and obligations laid down under article 8, Member States shall make sure that only treatment operators that operate in conformity with the applicable national or harmonized requirements pursuant to an implementing act are permitted to treat WEEE.
5. Member states shall collect information on volumes of WEEE that are being exported for treatment and ensure that treatment is compliant with the objectives of the Directive. According to these provisions WEEE exports shall count towards the exporting Member State's collection rate.
6. If Member States decide to implement an exclusive hand over of all separately collected WEEE from official collection points to producers as allowed by article 5.4, they should realize that this hand over will not cover WEEE that is directly collected by treatment operators or from sources other than official collection points. In order to capture all WEEE flows, Member States must, e.g. through dissuasive penalties and adequate enforcement, ensure that evidence of any preparation for re-use or treatment carried out in accordance with the minimum quality standards and the requirements of the Directive will be made available to an independent authorized register.

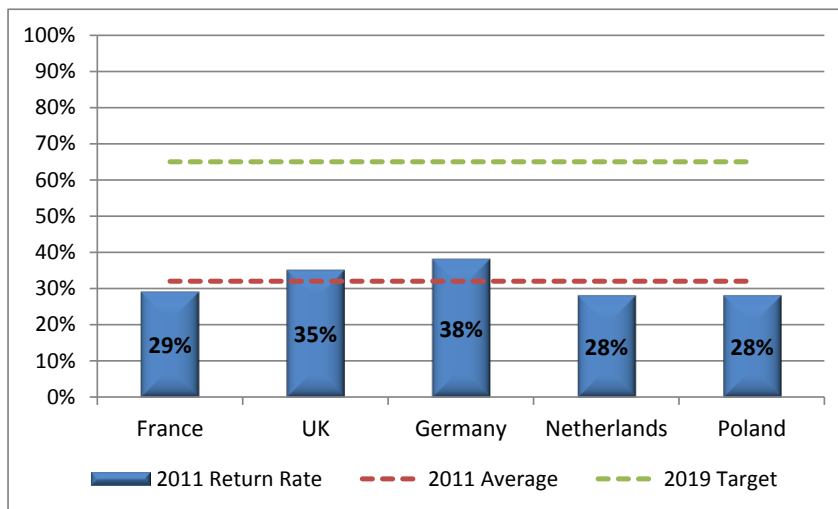
¹ Permitted according to Member State permit requirements pursuant to article 9 of Directive 2012/19/EU

1- INTRODUCTION

The new WEEE Directive creates an opportunity to improve the performance of collection and treatment in Europe and the reporting of data pursuant to such operations. The Directive lays down new and ambitious rates for the collection and treatment of WEEE. By 2019, Member States are required to demonstrate achievement of a minimum collection rate annually of either 65% of equipment sold in the preceding 3 years, or 85% of WEEE generated.

Currently in most Member States the collection rate based on official data of WEEE separately collected by systems set up by Producers is on average 1/3 of electronic and electrical equipment sold (see figure 1). However, recent research² in several Member States has revealed that there are large flows of WEEE beyond the Producer take back systems which are collected and recycled for a profit. Research has demonstrated that in addition to this 1/3 managed by Producer take back systems, on average, a further 1/3 is also collected and treated by treatment operators. So in fact 2/3 of the WEEE is being treated by treatment operators.

Figure 1: Official collection rates for some EU countries based on put on the market



Source: France (ADEME), UK (Environment Agency), Germany (EAR), Netherlands (UNU Report), Poland (GIOS)

² - Okopol, *WEEE Flows in Germany*, December 2011

- Huisman, J., van der Maesen, M., Eijsbouts, R.J.J., Wang, F., Baldé, C.P., Wielenga, C.A., (2012), *The Dutch WEEE Flows*. United Nations University,
- Magalini, F., Huisman, J., Wang, F., (2012) *RAEE Domestici Generati in Italia*. United Nations University,
- Anu Toppila, *Waste Flows in Finnish Producer Responsibility System*, University of Jyväskylä, September 12, 2011
- WRAP, *Market flows of WEEE materials (in the UK)*, February 2011



DIGITALEUROPE



2- REPORTING OF VOLUMES

In order for Member States to demonstrate achievement of the minimum collection rates it will be necessary to collect information of all flows of WEEE irrespective of whether it was handed over by producer take back systems or by third party collectors. Also, it must be ensured that quantities are not counted twice.

Considering $\pm 2/3$ of WEEE is being treated by recyclers already, it is logical that implementing measures under WEEE 2 should include mandatory reporting obligations for all permitted treatment operators and proper enforcement by Member States of these requirements.

The position of the undersigned industries is that all permitted WEEE treatment operators must report on all WEEE received, originating from business-to-business users as well as private households, through take back systems, municipalities or other parties, all being counted towards the achievement of the minimum collection rate.

For protection of the treatment operators' interests, the reporting should happen in a secure environment. Therefore it is proposed that treatment operators that comply with the quality standards, report data to an independent register, which may be financed by the producers. This independent register could also register the data from producers on volumes that have been put on the market.

3- PROPER TREATMENT

It is stated that Member States shall ensure that all separately collected WEEE undergoes proper treatment (article 8.1) and that Member States shall ensure that any establishment or undertaking carrying out collection or treatment operations stores and treats WEEE in compliance with the technical requirements set out in Annex VIII.

Proper treatment based on uniform harmonized standards promotes that the recycling and recovery quotas in WEEE treatment are met.

Therefore the undersigned welcome the mandate of the European Commission given to the European standardisation organisations to develop European standards for the treatment of WEEE and that those standards shall reflect the state of the art.

The position of the undersigned is that Member States and the Commission must promote minimum quality standards for collection and treatment of WEEE pursuant to article 8.5 adopted by CENELEC. These Standards must be harmonized in Europe to prevent 27 different standards. The Commission must adopt an implementing act that ensures uniform conditions for the collection and treatment of WEEE.



4- EXPORT OF WEEE

Movement of WEEE within the EU is common amongst treatment operators and collectors and occurs for purposes relating to Member State capacity and capabilities and economies of scale. There are several Member States in the EU that are net importers of WEEE and others which are net exporters. This practice is important for the proper treatment of WEEE and requires proper notification of waste movement. However, notification is not enough and there must also be criteria for the treatment quality and criteria for assuring that exported WEEE which is properly treated also counts towards the collection rates of the exporting Member State.

The position of the undersigned on export of WEEE is that in case of whole and untreated WEEE, shipped across borders (both inside and outside of the EU), Member States must require:

- That the data pursuant to the shipment is collected as required under article 16.4, preferably by making use of existing data available under the notification of waste movements.
- That the volumes of WEEE are counted towards achievement of the minimum collection rates insofar as the quality of treatment in the receiving country can be assured.
- The WEEE treatment processes of the receiving party must qualify according to the above mentioned EN standards or equivalent if exported outside the Union.

Furthermore, the undersigned would like to see a strong improvement of enforcement of the Waste Shipment Regulations by the authorities in all Member States.

Proposal

1. Member States can comply with their obligation to collect information stipulated in article 16.4 by adapting existing waste and EEE registries in order to establish a dedicated WEEE registry.

2. The registry should be operated by government, a government agency or an independent third party to ensure there is no conflict of interest related to confidentiality of company information. The registry could also register the volumes that have been put on the market by producers.

3. Data on EEE put on the market by category, WEEE collected and treated and WEEE exported by category should be collected and managed by the registry where data confidentiality is maintained. The registry should make use of existing data sources, where possible, to minimize unnecessary administrative burden to economic operators.

4. The registry should offer the competent authority advice on enforcement of Member State Waste Laws pursuant to Directive 2012/19/EU with the view of achieving the collection rate, achieving proper treatment of WEEE and meeting the information requirements under article



DIGITALEUROPE



LIGHTINGEUROPE
THE VOICE OF THE LIGHTING INDUSTRY

16.4.

5. In order to ensure that all permitted WEEE treatment operators report volumes of WEEE treated and in accordance to the ambition of this Directive, national implementing measures of the Directive shall lay requirements for operators of treatment facilities to report volumes of all WEEE treated to the registry. Only treatment operators that comply with the applicable EN standards can report to the registry. The WEEE registry will also be responsible for developing substantiated estimates or protocols where WEEE collected by treatment operators or exported for treatment is part of a mixed collection (e.g. mixed collection of scrap metal, or scrap plastics).

6. The undersigned would like to work with the Member States in order to achieve the proposal of this position paper by coming forward with suggested models for implementation of an all WEEE recycled reporting system (EEE/WEEE Registry).



DIGITALEUROPE



LIGHTINGEUROPE
THE VOICE OF THE LIGHTING INDUSTRY

ABOUT THE UNDERSIGNED ASSOCIATIONS

CECED represents the household appliance manufacturing industry in Europe. Its member companies are mainly based in Europe. Direct Members are Arçelik, Ariston Thermo Group, BSH Bosch und Siemens Hausgeräte GmbH, Candy Group, Daikin Europe, De'Longhi, AB Electrolux, Fagor Group, Gorenje, Indesit Company, LG Electronics Europe, Liebherr Hausgeräte, Miele & Cie. GmbH & Co., Philips, Samsung, Groupe SEB, Vorwerk and Whirlpool Europe. CECED's member Associations cover the following countries: Austria, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include 60 global corporations and 33 national trade associations from across Europe. In total, 10,000 companies employing two million citizens and generating €1 trillion in revenues. Our website provides further information on our recent news and activities: <http://www.digitaleurope.org>

EERA, the European Electronics Recyclers Association, is a non-profit organisation that represents the interest of the 37 major recycling companies who are treating waste electrical and electronic equipment WEEE in Europe. The EERA members recycle ± 2.500.000 tonnes of WEEE annually and have more than 100 locations in 22 European countries. EERA aims for the harmonisation of national and international regulations for WEEE recycling in order to obtain a free market for demand and supply of services.

LightingEurope is an industry association representing 31 leading European lighting manufacturers and national lighting associations. LightingEurope members employ over 100,000 people in Europe and represent an annual turnover estimated to exceed 20 billion euros.