

## LARAC POLICY DISCUSSION: Implementation of the WEEE Directive and proposals for a National Clearing House (NCH)

**BACKGROUND AND ISSUES:** The third UK consultation on how to implement producer responsibility obligations for waste electronic and electrical equipment (WEEE). The Directive comes in to force on 13<sup>th</sup> August 2005 and will require all producers and retailers of WEEE to pay for the recovery of certain percentages of specific categories of WEEE, for example the Directive requires at least 75% reuse and recycling by weight of large household appliances such as washing machines and fridges. There are ten categories in the Directive and targets vary for these, so merely collecting fridges and freezers (as currently) will fail to meet all the Directive targets.

The responsibility on producers does not extend to *collection* of WEEE but retailers are required to provide free take-back of consumer WEEE when returned as part of a like for like purchase. However, retailers are not required to offer direct in-store take-back where they can show that they are providing for another means or take-back. Such alternatives could include the continued provision of delivery take-back schemes (only in future they will have to be free to the consumer) or by arranging with a local authority for it to receive WEEE at its existing CA sites. In order to encourage local authorities into the scheme, retailers are being encouraged to offer funds for any necessary upgrading of CA sites to accommodate the separate collection of WEEE. Any WEEE collected in such a way could be taken away free of charge by the proposed National Clearing House (NCH), see specific section on the NCH below.

Points to note: There is no de minimus level in the Directive so ALL producers no matter how small are obliged to undertake (or make arrangements with a compliance scheme) recovery of WEEE to fulfil their obligations. The Directive also requires that producers are responsible for all WEEE in circulation even where the original company may now have ceased trading. Any WEEE placed on the market after 13<sup>th</sup> August 2005 will be marked with a crossed out wheelie bin. Producers and distributors are also required to "ensure that private householders are informed of the WEEE take-back facilities available to them. There is a parallel consultation on the treatment standards required to be followed by producers once they have collected WEEE this requires the separation of amongst other items; batteries, CRTs, circuit boards and capacitors.

### **THE PROPOSED NATIONAL CLEARING HOUSE (NCH) FOR WEEE**

The consultation paper outlines and discusses a proposal from the major producers of WEEE for a NCH. The proposed NCH would exist to have strategic overview of the flow of WEEE in the UK. It would have two basic functions; firstly to apportion to individual producers their fair share of WEEE to recover according to their current market share and secondly to facilitate the collection and recovery of WEEE from wherever it arises. The proposed NCH will in all likelihood be an independent (of producers and retailers) body that operates under contract to Government. It will act as the information nerve centre for managing WEEE but not get involved in any physical collection or reprocessing of WEEE. It could turn out to be a call centre type operation with less than 10 employees?

The NCH will register Designated Collection Facilities (DCF) such as CA sites as long as they meet certain criteria. Acceptance as a DCF will entitle the site to free collection of whatever categories of WEEE it is registered for. The NCH will arrange with the DCF for the collection of WEEE at a schedule to meet its requirements and will issue information on the tonnages arising to allow for local authority local performance monitoring. The criteria for DCFs are likely to include the requirement

for impermeable hard standing and weatherproofing for WEEE collection areas. They are also likely to require the separate collection of one or more of four categories of WEEE (1.Large Domestic Appliances, 2. Fridges and Freezers, 3. CRTs, 4.Other). A DCF may register for any or all of these categories with the NCH. The Directive requires that reuse should be encouraged and the NCH is keen to encourage this where feasible, the NCH also propose that they will only accept whole WEEE items from DCFs and therefore local authorities are likely to have to amend local totting arrangements if they exist to prevent any preliminary sorting/stripping by a totter.

The NCH has proposed three basic alternatives for allocating DCFs to producers (who in turn may well contract a compliance scheme or waste management company to collect the WEEE from the DCF). These alternatives are by container, by batch or by site. The producers have moved away from by container allocation as being impractical and favour by batch as it allows the NCH to make in year adjustments to their apportionment and it also allows small companies to access WEEE. LARAC believes that local authorities would prefer the certainty of a site allocation method especially when with four categories of WEEE it is possible that a DCF will be served by four different contractors for these materials. If a batch allocation method was used then assuming that several producers were allocated a local authority DCF throughout the year, the position would be amplified and local authorities could have numerous (and regularly changing) contractors visiting their DCF to collect the differing WEEE categories.

**AFFECTED LA PARTIES:** All local authorities in Scotland, Wales, Northern Ireland and England where a parallel consultation is being conducted. The Directive will affect all authorities but especially those responsible for operating CA sites.

**TIMETABLE:** A response to the attached LARAC questionnaire is required by Monday 25<sup>th</sup> October 2004, the consultation closes on Friday 29<sup>th</sup> October 2004. If implemented on time the Directive will come into force on 13<sup>th</sup> August 2005. At this time producers will pay for all recovery/disposal of WEEE goods and the proposed NCH could collect WEEE free from local authority CA sites.

**LARAC STANCE:** LARAC welcomes producer responsibility for WEEE, which will remove the indirect financial burden from the council taxpayer for managing WEEE. LARAC also welcomes the proposal for a National Clearing House and is working with the Government and industry to develop the details of its operation. LARAC has concerns over the proposals for allocation of DCFs and will (subject to Member views on this consultation) continue to lobby for a site allocation for local authority CA sites. LARAC believes that in implementing the Directive (and NCH) the Government must be mindful of establishing an adequate network of DCFs which allow the public an equal ease of access for disposing of WEEE whether they live in urban or rural, densely or sparsely populated areas. In doing so LARAC would like to see retailers develop a comprehensive suite of in-store and other take-back facilities to sit alongside local authority CA sites. LARAC believes that retailers should also fully fund the incorporation of CA sites into any collection infrastructure for WEEE and is working with Government and industry to ensure that any funding package developed is realistic of the circumstances faced at CA sites.

The full consultation document can be found at:

<http://www.dti.gov.uk/sustainability/weee/index.htm> this includes a summary of the proposals for a NCH. A full explanation of the thinking behind the NCH can be found at: <http://www.alparchitects.co.uk/vanessa/SEWPFNCHWP0704.pdf>

**Having read this summary please take a few minutes to complete and return the attached questionnaire to help LARAC respond to Government on your behalf.**