

***Minutes of the first meeting of the
WEEE-Public Interest Network
held on 16th February in Brussels***

Introduction of the Meeting by Mrs E. Huytebroeck, Environment Minister for the Brussels Region.

Reminding everybody of the importance and the impact of the WEEE flow, the Minister reminds the participants that she is very much attached to a 5-level waste management hierarchy favouring prevention and reuse, as well as to the Producer REsponsibility principle.

As the chairman of the meeting, **Christof Delatter (Interafval)** presents the agenda of the day before **Caroline Saintmard (ACR+)** provides some food for thought and for discussion, concerning the theme of "Individual Producer Responsibility for WEEE according to the European Directive" (see PPT attached).

Roundtable n°1 : Feedback of participants regarding the implementation of the WEEE Directive in their city – region - country

The following vocabulary is suggested :

- "Collection points" are municipal or distributor collection points
- Civic Amenity Sites (or Waste Recovery Sites or Designated Collection Facilities) are "container parks"
- Regional Transfer Stations are sites where collected WEEE are grouped

Each participant introduces her or himself and makes a brief presentation on:

- the stage of implementation of the WEEE regulation in her/ his country
- the strong or weak points
- the ways in which the regulation is put into practice.

Marco Jadot (Authorisation Department of the Brussels Institute for the Management of the Environment, **IBGE Bruxelles environnement, B**)

Positive side :

- RECUPEL manages about 70.000 tons of WEEE each year.
- Collection rates are growing slowly.
- Fees are decreasing in 2007.

Weak points :

- There are only 2 kg of WEEE collected per inhabitant on the area of the Brussels Region (against more than 6 kg for Belgium as a whole), while 20 kg per person of EEE are put on the market annually in Belgium.
- Lack of transparency of the system: RECUPEL is collecting 2,5x more money than actually needed; a fund of about 250 000 000 euros has been collected to manage WEEE in the future.
- RECUPEL is currently designing a scheme for professional EEE; there are fears about the possible confusion of the household and non-household flows.

Olivier Legat (Office Wallon des Déchets, B) supports this description, emphasising the lack of transparency and the need for cooperation between the 3 Belgian regions.

Annemie Andries adds some comments for the **OVAM, B** :

Weak points :

- about 1,5% of EEE placed on the market is reused in Flanders
- lack of transparency notably due to the fact that RECUPEL is made up of different associations dealing with 7 different flows

Positive side :

- the enforcement of the regulation has helped to increase the quality of the treatment of WEEE while decreasing waste management costs
- RECUPEL has developed a good digital system for reporting.

Cecilia De Moor (IRGT, B) explains that her association is active in a range of issues related to sustainable development and to environment. Among others, they have developed an on-line catalog of Recycled Products, to promote a market for secondary raw materials.

Maarten Goorhuis (NVRD, NL) gives an explanation of the Dutch system.

The Dutch legislation on WEEE, dating from 1999, was revised in 2004. There is now a decree and a regulation on WEEE. Three collective systems have been set up in the Netherlands:

- NVMP
- ICT
- an association on Lighting equipment which fights for its place among the other systems.

All the operations are managed by the operators of the systems from the local CAS up to the treatment. Municipalities run the collection systems and now bear collection costs only up to CAS. But for the time being, producers' schemes refuse to take CAS management costs into charge and municipalities are taking producers to court to force them to comply with their obligations.

There are today about 15 transfer stations in the NL, run by municipalities and/or producers.

Weak points :

- The systems in general are not very transparent.
- There is a concern with illegal exports of WEEE (esp. regarding the REUSE shops channels).
- Reuse is not promoted.
- The existence of several producers' schemes makes it more difficult for LRAs to defend their interests.

For **Alain Nazon (SETOM, F)**, the existence of producer responsibility schemes offers the advantage of financing WEEE treatment (which was previously at the municipality's charge).

Jacques Allard (COPIDEC, B) reminds the participants that Belgium is a Federal State, with three regions responsible for environmental matters. COPIDEC (which gathers together the associations of municipalities dealing with waste management in the Walloon Region) has been negotiating for 2 years with RECUPEL regarding the financial compensations due to municipalities (as the law says that producers have to cover the complete costs).

Above all, COPIDEC wants to keep the systems for household and non-household waste completely separate.

For **AMORCE (F)**, **Nicolas Garnier** explains that the legislation entered into force only very recently (15th November 2006), and that while associations of municipalities were able to fight to defend their interests during the preparation of the law, especially for producers to cover collection costs, the way the 3 (+1 for lamps) so-called "eco-organisms" appear to operate together appears to be unsatisfactory for several reasons.

- 1) There is a lack of data regarding what happens concerning distributors
- 2) The coordinator organism has not been playing his role up to now especially regarding the sharing of the French territory, left to free agreements between eco-organisms and municipalities.
- 3) Treatment plants are chosen by the eco-organisms; some of them are located in Romania... and even do not even exist yet.
- 4) If municipalities have obtained good compensations (stated in the law) from producers, the low level of fees on new appliances is concerning for the financial sustainability of the system.
- 5) The place of social economy is not ensured in the system.
- 6) ERP has developed a very strong strategy, as well as lots of contracts with municipalities. They now cover a part of the territory which is proportionally bigger than their market share. Are they going to give some contracts back to other producers ?
- 7) Eco-Systèmes, the eco-organism which essentially represents distributors is quite tough in its negotiations with municipalities.
- 8) With the visible fees, consumers should not pay anymore for treatment as citizens. But this is still not the case. This situation might create a legal issue which LRAs could bring to court.

Municipalities have negotiated a specific system for lamps : if they accept to provide a collection system for lamps, all the lamps from their services are taken freely into charge for treatment.

Christof Becker comments on the role and the concerns of his association, **RAL Quality Insurance**. RAL has developed a Quality Insurance System for CFC-removal from refrigerating appliances.

Germany has opted to implement the WEEE Directive following the free market principle. But regarding the treatment of cooling appliances, there a market had already been in place since 1988, which allowed almost 100% of collected fridges to be treated,

with a fair pressure from LRAs on prices in the scope of public calls for tenders. The entry into force of the law has put a very high pressure on quality. RAL is willing to bring its contribution on treatment's standards.

In Germany, all the local costs are on the side of municipalities which have to sort WEEE into 6 containers. The different producer schemes operators come and pick them up using a computer-automated system. The clearing system is not very transparent.

Hugh Smith is working for **London Remade**, an organization which is working on the stimulation of recycling facilities in London and on the promotion of recycled products. It is anticipated that London alone will generate around 400.000 tons of WEEE a year.

The UK the WEEE directive has been transposed into national law but it has still to be implemented, and there is no system for WEEE yet. It is likely that the free market principle will prevail, with over 30 compliance schemes already envisaged. There is no obligation on Civic Amenity Sites to become WEEE collection points, but the country has to develop Designated Collection Facilities (DCF)... which may be CAS if LRAs sign up or may be created and run by producers' compliance schemes. DCF shall be emptied for free by Producers' Compliance Schemes (PCS), but compensations to municipalities regarding collection are still to be discussed.

PCS shall then contract Approved Authorised Treatment Facilities (AATF).

There will be a national take-back scheme for retailers which may oblige them to finance public CAS (up to £6000 per CAS as a one-off payment).

Even companies running a take-back system on its own will have to register with a PCS. DHL itself is running one PCS in the UK (like in Germany and in the Netherlands). Not all PCS deal with household waste.

Patricia Carvalho from LIPOR (P) describes the situation in her country more positively. The law on WEEE in Portugal has been in place since 2004, and 2 licensed schemes have been operating since 2006, each one on a certain part of the territory. LIPOR has signed a contract with EPR (whose main operator is GEODIS). The government has fixed a minimum compensation level for municipalities, according to the quantities collected. Prices for producers in the systems have been fixed by the government.

As LIPOR offers additional sorting and transport services, they get paid for this service by EPR. At CAS, WEEE are sorted into 2 parts (big and small); then they are further sorted into 5 groups at a Regional Transfer Station and passed on to GEODIS. The transport from CAS to RTS is dealt with by the municipalities.

The issue now is for LIPOR to make people aware of the need to separate WEEE from other waste. Besides, there are other questions which need to find an answer :

- What is ERP going to do when its market share will be complete ?
- How can a balanced coverage of the territory be ensured?
- Are the current compensations satisfactory in the long term ? A better picture of the costs is needed. (LRAs in France negotiated collection costs of about 1000 euro / T while there are 24 to 26,5 euro /T in Portugal today !)

Maria Vidal (Agencia de Residus de Catalonia) comments that in Catalonia, the government, Local & Regional Authorities and Producers have negotiated a collaboration agreement according to which :

- they shall adopt the structure of not-for-profit foundation
- they have **now 3 months** to create their office ?
- LRAs are invited to sign agreements to work with collective systems
- All collection systems have to collect at all existing collection points, where they will only leave one container; LRAs must establish 8 invoices every month for each pick-up point
- Compensations depend on the number of groups sorted : 10 €/T for unsorted WEEE and 80 €/T for WEEE sorted into 5 fractions.
- As there are only 4 treatment plants in Catalonia, all the schemes are using the same infrastructure.

There is also one additional eco-organism dealing with professional lamps (ECOLUMP).

Liesbet Noé, for VVSG (Association of Flemish Cities and Municipalities), adds some comments on both the Belgian system and on what has already been explained by participants :

- A good national or regional regulation is important, in order to have sufficient impact on the existing producers' compliance schemes and to avoid any municipalities remaining without solutions for their waste
- From the municipalities' point of view, the quality of the service to inhabitants is as important as a fair price and a good environmental quality
- Even if RECUPEL has developed standards for collection, transport and treatment of WEEE to be followed by operators, price remains the key factor in calls for tenders
- VVSG has helped to develop a calculation model of compensation to municipalities for waste collected in CAS; this model takes some parameters like waste quantities, staff costs, management time and delivering frequency of a given waste fraction; it will have to be followed for each new agreement between RECUPEL and municipalities.

She also agrees that transparency is a key concern.

Yves Decelle, for SITA, comments that the approach for dealing with household waste must remain clearly separated from the non-household WEEE; the latter might be subjected to a more transnational approach. He adds that waste operators are also reflecting on which are the best systems for dealing with WEEE today in Europe. He stresses the importance of public counter-powers in front of Producers Compliance Schemes, especially regarding calls for tender run by the systems.

Jean-Pierre Hannequart (ACR+) raises 2 elements :

- LRAs must learn from their experience with the Packaging issue and understand that debates have to be managed at the European level in order to respond to producers' international strategy
- There is a scope for collective actions from LRAs at the EU level, especially regarding :
 - o The revision of the Waste Framework Directive and the duty to elaborate waste prevention programmes, including a support to reuse associating public authorities
 - o Producer Responsibility, the main principles of this could find a place in the EU waste regulation (cf Parliament's proposal to introduce an

Extended Producer Responsibility regime for some waste flows) as they shall not be left to subsidiarity.

Chairing the session, **Christof Delatter** concludes that six main issues have been raised by the participants :

1. the status of reuse and the promotion of social economy within the existing systems
2. the coverage of costs by Producers' Compliance Schemes
3. the advantages and weaknesses of the different existing structures of Producers' Compliance Schemes
4. the transparency issue
5. the development of markets and standards for collection and treatment in order to avoid "eco-dumping"
6. the need to keep separate systems for household and industrial waste.

He adds that such discussions and sharing of information are precisely one important added-value of the network and shall take place at each meeting, but :

- focused on one specific topic which could then be approached in a more in-depth way
- prepared and based on participants' reports which shall allow a comparison of the information.

ACR+ secretariat is going to prepare a template for such reports; this shall be kept as simple and easy as possible.

Roundtable n°2 : Which objectives and purposes for the platform ? Which name ? Which functioning modalities ? Which activities for the forthcoming months ? Which partnerships to be sought ?

Which name for the initiative ?

After some reflections, a name is found for the platform (with the help of M. Goorhuis) : **"WEEE Public Interest Network" or "WEEE-PIN"**.

Which should be the objectives of the WEEE-PIN ?

It is agreed by participants that the initiative must be :

- an information exchange platform
- representing European Local and Regional Authorities
 - o with an access to discussions left to all kind of stakeholders, except producers and producers' compliance schemes
- combined with an instrument to defend the general /public interest especially in the scope of :
 - o the revision of the WEEE Directive
 - o the revision of the Waste Framework Directive
 and aiming at developing common positions on the 6 issues which emerged from the morning's discussions.

This initiative shall also raise the Commission's attention on the fact that LRAs are the key actors of waste management in Europe and that their opinion shall be sought in the European debates.

Which functioning modalities ?

- **Access**

The WEEE-PIN will be accessible to all ACR+ members and to other organizations, at the invitation of the presidents.

- **Meetings**

Two meetings a year appear to be a minimum. There will be at least three meetings of the WEEE-PIN in 2007

Brussels is a good place to meet (accessible and enabling the involvement of EU representatives in the discussions), but some meetings could take place in other areas where the WEEE-PIN has a strong local political support. Nicolas Garnier evokes the possibility of network meeting in Paris.

A roundtable for participants will always be part of the agenda, but focused on one specific topic and based on participants' reports.

- **Contacts**

Contacts among participants will be maintained between the meetings thanks to forum or a blog run from the ACR+ website. The ACR+ secretariat will formulate a proposal in the forthcoming days regarding these aspects.

Which activities in the forthcoming weeks ?

1) follow-up of the revision of the WEEE and the Waste Framework Directives

A first interim report on the studies ordered by the EU Commission to prepare the revision of the WEEE Directive is due on 20th February.

A closed experts' meeting on these interim reports will be held on 15th March. Christof Delatter is going to claim a voice for LRAs in this expert committee, on behalf of the WEEE-PIN.

A larger consultation process is also due to take place in the second half of 2007.

Christof has also already managed to organize a meeting of the WEEE-PIN with Kurt van der Herten (EU Commission) in order to present a report on the revision process of the WEEE Directive and on the Commission's activities in that field. This meeting will take place on 25th April in IBGE's premises. Further details will be sent to participants in due course. It is decided that CEMR and Eurocities (main European networks of LRAs) and RREUSE (European federation of social economy enterprises) will be invited to this meeting in order to develop common and stronger positions with them.

2) Diffusion of a press-release and contacts with other potential members of the network

Participants are asked to :

- diffuse the press release attached to these minutes towards their respective national press
- provide the ACR+ secretariat with the names and details of organizations which could potentially join the WEEE-PIN

Elaboration of a draft press release from representatives of participating Cities and Regions (see attached)
