

**Minutes of the fourth meeting of the
WEEE-Public Interest Network
held on 26th March in Brussels**

Participants:

Allard	Jacques	Intradel
Bouret	Laurence	Rudologia
Dr. Bröhl-Kerner	Horst	RREUSE
Carvalho	Patricia	LIPOR
Carvell	Christopher	Milton Keynes Council
Danos	Felix	CCRE-CEMR
De Clercq	Olivier	ACR+
Delatter	Christof	Interafval
Dezső	Viktória	ACR+
Ehrenguber	Christian	OÖ LAVU AG
Fucigna	Gian Andrea	SVIM spa
Garnier	Nicolas	AMORCE
Goorhuis	Maarten	NVRD
Hannequart	Jean-Pierre	ACR+
Huisman	Jaco (speaker)	TU Delft
Jadot	Marco	IBGE Bruxelles Environnement
Krauspe	Kristin	Europabüro der bayerischen Kommunen
Pazos-Vidal	Serafin	COSLA
Rantala	Pentti	Tampere Regional Solid Waste management
Sander	Knut (speaker)	Ökopol GmbH
Vidal Tarrason	Maria	Agencia de Residus de Catalunya

Apologized: Christoph Becker (RAL), Liesbet Noé (Interafval)

Introduction of the Meeting by Christof Delatter (INTERAFVAL)

Everybody introduces him/herself. No comments were mentioned about the minutes of the 3rd meeting.

Chr. Delatter then welcomes **Jaco Huisman** from TU Delft and **Knut Sander** from Ökopol GmbH, who have accepted the invitation of WEEE-PIN to come and present the main findings of the two research studies carried out for the Commission – DG Environment.

Presentation of Knut Sander, Ökopol GmbH – Review of the Directive 2002/96/EC on WEEE: The Producer Responsibility Principle of the WEEE Directive

The presentation is attached to the minutes as a pdf file.

The study was carried out by Ökopol GmbH, Germany, IIIIEE, Sweden and RPA, UK.

During the presentation **Chr. Delatter** asked the question concerning slide 8 on the allocation of financial responsibility for collection of WEEE from private households whether the showed map demonstrates how it is allocated according to the legislation.

K. Sander answered yes. » It is important to emphasize that the map illustrates the situation according to each national legislation. In reality, practice might divert from this.

Questions and discussion with the participants

N. Garnier

- Does the fact that producer's responsibility exists help to reach the set-up target of 4 kg/inhab?
- Who is responsible to reach the 4 kg/inhab target?
- Are there data about the results of Member States how many kilo are collected?
- Remark about the French system: there are 3 producers' compliance schemes and one of them reached the 4 kg/inhab target and it stopped to collect more.

K. Sander

- reporting responsibility is the responsibility of each Member State and not the responsibility of the individual producers' compliance scheme

J. Huisman

- his presentation contains some data about the collection results

N. Garnier

- different interpretations exist concerning the 4 kg/inhab target

Chr. Delatter

- Was there any assessment made whether there is any impact on the WEEE management in terms of 1 existing collective scheme or more than 1 existing collective schemes?

K. Sander

- no result for this issue

Chr. Delatter

- Confirms problems with producer responsibility and transboundary shipment of new products. Did the investigators look at the approach within the VAT-legislation (where the same problem exists)?

K. Sander

- there are different legal systems and taxation system, no positive answer

JP. Hannequart

- Why does the EU register cost so much? (slide 21)

K. Sander

- the '+' means saving and the '-' means cost

- the meaning of the two rows are: the first row shows the quantitative results and the second row shows the qualitative results. The European register is therefore cheaper, not more expensive.

M. Goorhuis

- What is the reason of the very different varieties of the implementation of the Directive? Is it due to improper implementation or due to the fact that MSs have the right and possibility to transpose the Directive according to their national situation?

K. Sander

- both
- some infringement procedures are already going on against Sweden and Ireland and some more are planned

G.A. Fucigna

- How do you measure the qualitative assessment?

K. Sander

- criteria of the qualitative assessment involved economic, social and environmental aspects, but since there is no available data on the social aspects » the social issue is not part of the qualitative assessment

N. Garnier

- Who collects more WEEE? What is the distribution between municipalities and producers?

K. Sander

- this question was not examined in details during the study

Chr. Delatter

- there is a contradiction between the text on page 28 of the Executive summary and the Table 7 on page 29 concerning the 'Measure 3' scenario 1B in terms that measure 3 mainly considers a clarification of the financial responsibilities, but this is not considered as a benefit in table 7

K. Sander

- Confirms this contradiction, it will be checked later and come back with the answer

N. Garnier

- What is the level of visible fees? Is there a standard amount for the same product to compare?

Chr. Delatter

- in the afternoon presentation some examples will be shown, but it is not a good idea to compare different things

K. Sander

- the visible fee systems are very heterogeneous
- no systematic structure was recognized behind the different visible systems

Chr. Delatter

- question or problem of orphan WEEE if they arise; according to Chr. Delatter there is only a problem in systems where producers pay as waste is collected instead of at the moment they put their product on the market.

K. Sander

- Confirms this.

JP. Hannequart

- no analysis was made concerning reuse and recycling

K. Sander

- different responsibilities exist and one of them is the design responsibility
- at the moment there is no available feedback on the product design; the study did not look at the details because it is still too early; it will take some years when the newly designed products taking into consideration the design responsibility will become waste

JP. Hannequart

- What about the export on behalf of reuse? Maybe the current Directive helps to export WEEE as second-hand goods.

K. Sander

- when it comes to export questions and problems, then the Waste Shipment Regulation is the relevant regulation, but of course, it is not a solution for the problem because the WEEE is exported as second-hand goods and not waste

M. Goorhuis

- This issue should indeed be regulated in the Waste Shipment Regulation, and not in the WEEE-Directive. What is needed is a clear guidance on how to differentiate between second hand goods and waste in order to prevent sham-recovery.

Presentation of Jaco Huisman, TU Delft – 2008 Review of the Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE): Environmental, Economic and Social Impact Assessment – Options for improvement

The presentation is attached to the minutes as a pdf file.

The study was carried out by AEA Technology, GAIKER, REC and TU Delft and 8 people were working on the study.

Important remarks to be stressed:

- on slide 9 is that the presented results can be reached only in the case of full and proper implementation of the current WEEE Directive;
- on slide 17 that the transportation and collection costs are average costs taking into consideration the compensations paid to the municipalities if that compensation does exist; in other cases if compensation is not paid, an estimation was made to calculate with. This compensation does not reflect the total cost.

Questions and discussion with the participants

H. Bröhl-Kerner

- The conclusion of the report that reuse should be taken out of the WEEE Directive is unacceptable! Reuse should be part of the waste management as a basic principle and thus the reuse of electrical equipment should be kept within the WEEE regulation as well. The already existing results can justify the right existence of reuse in the WEEE Directive. Plus, even more reuse should be protected by the WEEE Directive, because leaving out from the legislation means the end of reuse activities not mentioning the environmental aspects.

J. Huisman

- introducing reuse target won't help the reuse sector
- the age of the EEE is an important factor because a 15-20 years old fridge consumes lots of energy and it is better to replace it with a new one than to keep it as a reused equipment

JP. Hannequart

- Is there any available data concerning the durability of a product?

J. Huisman

- the scientific backup and information is very limited
- the value of WEEE depends on the point of view how it is seen

Chr. Delatter

- referring to the last year conference in Belgium reuse on the waste level is necessary and needed, because it has a positive impact on the social economy
- as reuse becomes a strong point in the new WFD, it would not be consistent to leave it out of the WEEE-Directive
- when it comes to calculating the value of an 'old' or used EEE the environmental cost of the production of a new appliance should be included into the calculation to have an honest comparison with reuse

H. Bröhl-Kerner

- waste management legislation should deal with reuse issues and one way to regulate reuse is to set up targets

J. Huisman

- there is no direct impact between setting up reuse target and reuse activities

P. Rantala

- reuse is a problematic issue in the Scandinavian countries, social economy is substantially involved: government and/or municipalities are paying for the employees, therefore, the financial aspect is important: who pays for it?

Chr. Delatter

- What about the different stakeholders' responsibility? It is unacceptable to foresee a mandatory hand-in of WEEE to compliance schemes when the costs of local authorities are not covered by these schemes. Chr. Delatter strongly disagrees with the image that mainly local authorities are 'organising' leakages from the systems.

J. Huisman

- control over the illegal export is necessary, but if all the responsibilities are on the producers it will cause problems mostly due to the fact that the other stakeholders are then left out from the game
- for example there are several cases when local municipalities are the source of illegal export, because local municipalities are not handing over WEEE to certified treatment plants

M. Goorhuis

- confirms that municipalities are not the main source of illegal export
- in the NL municipalities can send WEEE to authorized processors or to producers' scheme; a similar approach in the directive would be a better solution

M. Jadot

- What is the effect of raising metal price on recycling in the future?

J. Huisman

- the price of the metal is not influencing all the categories, just those where the EEE is made of metal

Chr. Delatter

- the price of metal or other materials (plastic, precious metal, etc.) are changing all the time on the world market

JP. Hannequart

- What is the proposal for other market mechanisms? (slide 25)

J. Huisman

- stricter enforcement of illegal WEEE export, mandatory hand-in to compliance schemes

Chr. Delatter, M. Goorhuis

- local authorities do not agree with a mandatory hand-in to compliance schemes until their costs relating to collection and transportation are fully paid by the producers, otherwise it is an unfair game

M. Goorhuis

- Mandatory hand-in will also further hamper the possibilities for re-use. Instead of mandatory hand-in to compliance schemes there should be a mandatory hand-in to certified processors. This would leave room for competition on the market, give LRA's a better position, and would prevent illegal export.

JP. Hannequart

- Who is going to pay for that?

J. Huisman

- shared responsibility
- introducing some kind of tax

JP. Hannequart

- new burden on either tax-payers or consumers

J. Huisman

- necessary to discriminate between recycling and reuse

K. Sander

- two remarks: 1. it has to be noted that there is a difference between WEEE Directive and the national transposition; 2. different schemes were set up and developed in the different Member States » different type of collection schemes including the financial point of view as well » therefore, there is no one solution for this problem and each Member State has to find their own solution according to their system

Presentation of Viktória Dezső, ACR+ – Evaluation results of the WEEE questionnaire
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During the presentation several remarks and corrections were reported. Therefore, members will receive the presentation to the participants to send back their observations.

Closed session:**Recent evolution and news from members****P. Carvalho**

- the Portuguese Government is reviewing the compensation system; that was the reason to ask for information to have some information how the compensation situation is in other countries – negotiation with the compliance scheme
- a new project will start with EPR (producer compliance scheme) concerning reuse issues and micro-credit financing aspects

N. Garnier

- administrative problems in France
- competition between different producer compliance schemes have a result to collect less WEEE

M. Goorhuis

- there is a third collective scheme in the NL dealing with lighting equipments and they asked the municipalities to sort the lamps according to brands
- local municipalities are not willing to do that but at the moment it is not such a big problem, because there is still valid contracts with the other collective schemes and municipalities have simply refused to sort the lamps
- there is a pressure from the Dutch Government towards the producers schemes to compensate the local municipalities for their costs

L. Bouret

- from Rudologia, which is an association of mayors of France, furthermore it is a national organisation of waste management actors
- recently they are working on training issues and they try to work out a standard methodology for a training course leading to a diploma accepted at national level on the field of deconstructing and de-polluting waste; the training is for professional workers employed in this field

Chr. Delatter

- recent, ongoing negotiation between the Flemish Government and Recupel, but Recupel is constantly refusing the indexed new amount based on the calculation made by VVSG as a basis for compensation to the municipalities

M. Jadot

- presentation on Recupel on the TV
- visible fees are going down drastically and soon it will disappear
- Recupel is going for B2B equipment as well; so far it is not a big success, therefore Recupel wanted to buy waste to show some good figures
- very soon another producer compliance scheme will start its activity in Belgium for both B2C and B2B e-waste

J. Allard

- Recupel should not deal with B2B because of the fear of mixing B2B with B2C

H. Bröhl-Kerner

- RREUSE is working on the review process

Chr. Delatter

- in Germany there is no political support for local municipalities, who are really upset about it and they are planning to go to the European Court of Justice (finally)

N. Garnier

- the main struggle is how to find solution to push the producers to pay

Chr. Delatter

- What is the situation now with the TAC representatives? Are they informed about WEEE-PIN and its Position Paper?

P. Carvalho, M. Vidal

- contacted the TAC representatives

M. Jadot

- next TAC meeting will be on 10 April and he is going to the TAC meeting

JP. Hannequart

- suggestion: informing TAC about WEEE-PIN

Chr. Delatter

- M. Jadot can propose on the next TAC meeting to invite WEEE-PIN to present its position for the national TAC representatives

N. Garnier

- proposal: to give a short presentation on TAC meeting on each coming WEEE-PIN meeting

Position paper**Chr. Delatter**

- RREUSE supports WEEE-PIN Position Paper, therefore, its logo is on the Position Paper now
- CEMR is open for cooperation
- EEB – limited contact, completely full with work
- FEAD – limited contact, no priority given to WEEE issues at FEAD, but it could be a partner of WEEE-PIN → **N. Garnier will contact FEAD to ask for support**
- EP Rapporteur of WEEE Directive probably will be Florenz (German)
- stakeholder consultation phase will start officially on 7 April and it will last 2-3 months → website should be checked when it will exactly start: **task for V. Dezső**
- standard response letter should be worked out as soon as the questions are on the website: **task for V. Dezső**
- short response period – 1 week – should be given to the members to react
- suggestion: interesting examples from the presentation on the evaluation results – corrected version – should be part of the draft standard letter as an annex

Note!: the internship of V. Dezső will end on 14 May!

- WEEE Forum contracted a professional lobbyist to represent them during the revision process
- How does WEEE-PIN want to organise it? – this is a basic structural question

N. Garnier

- need a person to influence the revision process

Chr. Delatter

- What will we need?
- How can it be financed?
- How can it be organised?
- more lobbying is necessary and needed, but there are different options to deal with it
- How does ACR+ see the situation?

M. Goorhuis

- the budget for such activity is not high, therefore, starting point should be only to focus on WEEE topic

JP. Hannequart

- there are two options: using someone from outside or one ACR+ member can do it
- budget is determining, because ACR+ can provide a working place, but someone is needed, because with the current staff of ACR+ it is not possible
- O. De Clercq will work out a proposal

Chr. Delatter

- invited to the Green Week and will participate as president of WEEE-PIN

N. Garnier

- from the 10 recommendation points the 3 most important ones have to be chosen for a lobbyist

M. Goorhuis

- the 10 recommendation points priority order can be changed, but the last three ones: inclusion of B2B products into B2C, collection target suggestion and centralised database are also mentioned in the two studies, therefore, they can stay as the least important

M. Goorhuis, H. Bröhl-Kerner

- the reuse target recommendation should be completed with the development of standard quality criteria for reuse and this recommendation should be placed as the third most important

N. Garnier

- the sanctions are not mentioned in the executive summary and it should be complemented with it

Chr. Delatter

- not everything can be put into the executive summary

N. Garnier

- problem of vandalism and security problem associated with WEEE collection

M. Goorhuis

- the solution is financial aspect
- the transparency and accessibility recommendation should be placed as fifth most important

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

Message:

- Commission is revising a Directive which is hardly implemented – as a main message
- showing results from the evaluation of the questionnaires
- emphasising some of the recommendations part of the Position Paper
- reuse should be mentioned instead of the importance of local and regional authorities

Chr. Delatter

- further press releases will be used in the coming weeks
- using the 10 recommendation points from the Position Paper and starting from the lowest priority to the highest priority

WEEE guide

Chr. Delatter

- What is the expectation and the need of WEEE-PIN members concerning an updated version of the existing ACR+ WEEE guide?

N. Garnier

- the interesting point of view is how it is in other countries; activity by activity comparison and no description of how the treatment is done

M. Goorhuis

- identify the best practices and demonstrate it in the guide

N. Garnier

- max. 10-15 pages long and not longer
- it should be a guide for local authorities with the support of local authorities

JP. Hannequart

- the deadline for the updated WEEE guide is the beginning of 2009

Next WEEE-PIN meeting

Next WEEE-PIN meeting will be on **10th October in Porto, Portugal**.

P. Carvalho from Lipor is the responsible person for the practical organization and keeps participants informed about the practical details.

Comment from Yorg Aerts on behalf of OVAM: concerning the statement of Marco Jadot on page 7 above ("very soon another producer compliance scheme will start its activity in Belgium for both B2C and B2B e-waste"): "we know of a company willing to set up compliance schemes, but the realisation of this new system is to not to be expected "very soon" according to OVAM" remarked by Yorg Aerts.
