

Observations on the Revision of the WEEE- Directive

WEEE-PIN
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Commission Proposal

- To solve technical, legal, and administrative problems which lead to unintended costs and burden on market actors
- To set higher targets for collection and recycling.

Problems to be solved

- Too little WEEE is reported to be treated according to legislation.
- Illegal trade is still widespread.
- Material resources are lost; best recovery options are not used.
- Improper treatment results in environmental damage and health risks

What changed?

- What didn't?
- Changes to make Directive more logical and balanced
- Changes to make Directive more practical
- Changes to deminish administrative procedures
- Changes to make Directive more effective

Considerations

- Less emphasis on reuse and design for recycling.
- Specific attention to CFC containing devices
- Member states should encourage producers to finance total collection

Finance of collection

“Member states should encourage producers to take full ownership of the WEEE collection in particular by financing the collection of WEEE throughout the whole waste chain, including from private households, in order to avoid leakage of separately collected WEEE to sub-optimal treatment and illegal exports, to create a level playing field by harmonising producer financing across the EU, to shift payment for the collection of this waste from general tax payers to the consumers of EEEs in line with the polluter pays principle.”

Articles 1 - 3

- **Article 1: Objectives**

moved to considerations; instead general discription of subject matter.

- **Article 2: Scope**

- Refers to RoHS
- Clarification on excluded appliances
- Comitology decision on categorisation of B2B versus household appliances.

- **Article 3: Definitions**

- Aligned with WFD

Article 4 - 7

- Article 4: Product design
 - Reuse added
- Article 5: Seperate collection
 - Specific attention for CFC containing devices
- Article 6: disposal and transport
 - Previous in article 5
- Articiel 7: collection rate
 - Relative rate of 65% of sales
 - Possible seperate target for CFC devices from 2012

Article 8 - 10

- **Article 8: treatment** (previous: 6)
 - New wording referring to BAT and Annex II and III.
 - Annex II to be amended through comitology decision.
 - Special attention for treatment of printed circuit boards from cell-phones and LC-displays.
- **Article 9: Permits and inspections** (previous in 6)
 - Reference to annex III for storage and treatment moved to article 8
- **Article 10: Shipments of WEEE** (previous in 6)
 - Reference to EMAS moved to article 8.
 - Criteria for assesment of “equivalent conditions” to be decided through comitology procedure

Article 11 - 14

- **Article 11: Recovery targets**
 - All targets raised with 5%
 - Reuse included in recovery targets
- **Article 12: Financing WEEE from households**
 - Visible fee may stay
- **Article 13: Financing commercial WEEE**
 - No real changes
- **Article 14: Information for users**
 - Visible fee may be shown

Article 15 - 18

- **Article 15: Information for treatment**
 - No real changes
- **Article 16: registration, information, reporting**
 - Producers may register and report in just 1 country for the whole EU
 - Format for registration and reporting to be established
 - Member states report three-yearly to Commission
- **Article 17: adaptation to progress**
 - No real changes
- **Article 18: Committee**
 - No real changes

Article 19 - 23

- Article 19: penalties
 - Stronger and more precise wording
- Article 20: Inspection and monitoring
 - Special emphasis on monitoring of shipment of WEEE with reference to new Annex I
 - Additional rules on inspection and monitoring to be laid down through comitology procedure
- Article 21: transposition
- Article 22: Repeal
- Article 23: Entry into force

Annexes

- New Annex I: Monitoring requirements for shipment of WEEE
 - Rules to distinguish between waste and reusable equipment:
 - Copy of invoice
 - Evidence of evaluation or testing
 - Declaration of the holder
 - Sufficient packaging
- Annex II, III and IV
 - No real changes

Conclusions

- A lot of changes
- Changes to make Directive more logical and balanced
- Changes to make Directive more practical
- Changes to deminish administrative procedures
- Changes
- Most of wich are not essential changes

Essential changes

- Harmonise registration and reporting
- Change of collection target
- Combined recycling and reuse target
- Allow producers to have visible fee
- Annex I on requirements for shipment

WEEE-PIN Opinion

	WEEE-PIN	EU Commission
Coverage of costs	All cost included	No change
Obligatory give back	Unacceptable	No change
Collection target	Based on sales	Based on sales
Reuse	Set reuse target	Reuse in recovery
Recovery targets	Material based	Increase current
Scope	Criteria based	Clarification, comitology
Treatment	Definition of remove	Definition of remove

Focus point

- Get full coverage of cost in Directive instead of encouragement to cover all cost.
- Set regulations on the visible fee regarding:
 - The way actual costs are calculated
 - How funds are monitored and controlled
 - Transparency for the public
- Seperate status for reuse