

# make it - sell it - recycle it

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## Frequently Asked Questions about Waste Electrical and Electronic Equipment (WEEE)

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**General Questions & Answers**

<b>Q1</b>	<b>Is the WEEE Directive in force in the UK?</b>
A	<p>Yes, from 2 January 2007.</p> <p>There are two sets of regulations, one dealing with site licensing and treatment standards and the other covering the 'producer responsibility' aspects. These include product marking, take-back, financing treatment and recycling, etc.</p> <p>The Department of Trade and Industry (DTI) has published the producer responsibility aspects in the Waste Electrical and Electronic Equipment Regulations, which were laid before parliament on 12 December 2006. The regulations will come into force in stages from January 2007. They are UK wide regulations and will cover England, Wales, Scotland and Northern Ireland.</p> <p>The Department of the Environment (Defra) and Welsh Assembly Government are introducing regulations dealing with waste management licensing and treatment standards. These are the Waste Electrical and Electronic Equipment (Waste Management Licensing) (England and Wales) Regulations 2006. These Regulations came into force on 5 January 2007. Separate legislation will be issued in Scotland and Northern Ireland.</p> <p>Copies of the <a href="#">WEEE Regulations</a> and the <a href="#">WEEE Waste Management Licensing Regulations</a> can be downloaded from the Opsi website.</p>
<b>Q2</b>	<b>What are the key features of the WEEE Regulations?</b>
A	The regulations apply to most Electrical and Electronic Equipment (EEE) used in households, businesses and other organisations.

	<ul style="list-style-type: none"> <li>▪ Producers of EEE will have to join a producer compliance scheme.</li> <li>▪ Producers of EEE will have to mark new products placed on the market after 13 August 2005 with the crossed out wheeled bin symbol. This aims to minimise the disposal of WEEE as unsorted municipal (household) waste, help with separate collection and encourage recycling and recovery. Markings should also show who the producer was and identify that the item was put on the market after 13 August 2005.</li> <li>▪ Private householders will be able to return their WEEE to collection facilities for free.</li> <li>▪ Producers (manufacturers, those who sell EEE under their own brand, and those who import EEE) will be responsible for financing the collection, treatment, recovery and disposal of WEEE from private households which is left at these collection sites.</li> <li>▪ Producers will be responsible for financing the collection, treatment, recovery and disposal of WEEE from users other than private householders from products placed on the market after 13 August 2005.</li> <li>▪ Different rules apply to WEEE from business users arising from products put on the market <b>before 13 August 2005</b> (known as historic WEEE). Where historic WEEE from businesses is being replaced by new equivalent products, the "producer" is responsible for financing the collection, treatment, recovery and disposal when supplying the new products. In other cases, for example where the historic WEEE is not being replaced, the end user, the business, has to pay.</li> <li>▪ The regulations allow producers and business users to agree alternative financing arrangements. This will be a commercial decision and is likely to form part of the normal negotiating processes for supply contracts in the future.</li> <li>▪ Producers will be required to meet demanding recycling and recovery targets for different categories of appliances.</li> <li>▪ The UK must collect an average of at least four kilograms of WEEE for each resident annually (household WEEE only).</li> </ul>
<b>Q3</b>	<b>What will implementing the WEEE Regulations cost in the UK?</b>
A	<p>The Government has estimated the potential costs. These costs were set out in the final Regulatory Impact Assessment (RIA) published on 12 December 2006. It suggests that the costs could be between £11186M and £133M in 2007 and that these costs could rise to between £331M and £434M by 2017. A copy of the final RIA is available from the DTI's website (<a href="http://www.dti.gov.uk/files/file46034.pdf">www.dti.gov.uk/files/file46034.pdf</a>)</p> <p>The partial RIA issued by WAG and Defra as part of their consultation on implementing the permitting requirements (Article 6 of the WEEE Directive) estimates the cost of treating WEEE and permitting treatment sites. Copies of this document are available from Defra's website (<a href="http://www.defra.gov.uk/corporate/consult/weee-article6/consultdoc.pdf">http://www.defra.gov.uk/corporate/consult/weee-article6/consultdoc.pdf</a>)</p>
<b>Q4</b>	<b>What are the key milestones?</b>
A	<p>The following timetable is set out in the regulations for 2007. The timetable differs in subsequent years.</p> <ul style="list-style-type: none"> <li>• <b>Compliance schemes</b> will need to apply for approval to operate by 31 January 2007 – see also Q16</li> <li>• <b>Producers</b> will need to apply to join an approved compliance scheme by 15 March 2007 – see also Q5 &amp; Q10</li> <li>• <b>Compliance schemes</b> need to register their members with the Environment Agency by 31 March 2007 – see also Q16</li> <li>• <b>Authorised Treatment Facilities</b> will need to apply for approval 12 weeks before they can issue evidence of treatment and recovery. For approval by 1 July 2007 ATFs will need to apply by 6 April 2007. ATFs wanting approval for 2008 onwards will need to apply by 30 September in the year prior. see also Q25</li> <li>• <b>Exporters</b> will need to apply for approval 12 weeks before they can issue evidence of export. For approval by 1 July 2007 exporters will need to apply by 6 April 2007. Exporters wanting approval for 2008 onwards will need to apply by 30 September in the year prior. See also Q24</li> </ul>

	<ul style="list-style-type: none"> <li>▪ <b>Retailers and other distributors</b> will need to join the Distributor Take back Scheme or offer in-store take-back of WEEE from 1 July 2007.</li> <li>▪ <b>Householders</b> will be able to access extended EEE waste facilities from July 2007 which they are encouraged (but not compelled) to use. See also Q 23.</li> </ul>
<b>Q5</b>	<b>Will my business be affected by the WEEE legislation?</b>
A	<p>The WEEE Regulations are a 'producer responsibility' measure and affect a range of businesses. The goal is to ensure producers of Electrical and Electronic Equipment (EEE) take responsibility for their products when they become waste. The scope of the legislation is very broad and covers household appliances, IT and telecommunications equipment, audio-visual equipment, lighting equipment, electrical and electronic tools, toys, leisure and sports equipment, medical devices and automatic dispensers.</p> <p>A 'producer' is defined as someone who:</p> <ul style="list-style-type: none"> <li>▪ Manufactures and sells EEE under their own brand (e.g. Sony, Panasonic, Dyson etc);</li> <li>▪ Resells EEE manufactured by other suppliers under their own brand (e.g. Currys who sell EEE under their own brand name, but have the equipment manufactured by someone else); or</li> <li>▪ Businesses that import EEE into the UK on a professional basis (e.g. a person whose business activity is importing EEE from China. Excludes personal imports).</li> </ul> <p>All producers supplying electrical or electronic equipment onto the UK market will need to register with a compliance scheme and meet their financial, recovery and labelling obligations.</p>
<b>Q6</b>	<b>What are the labelling requirements of the WEEE Regulations?</b>
A	<p>The WEEE Regulations require producers of EEE to mark all their EEE with a crossed-out wheeled bin symbol, from 1 April 2007. The symbol will need to be placed on the equipment in a visible, legible and indelible form. In exceptional cases where this is impractical the symbol may be printed on packaging, instructions or product warranty. The purpose of this symbol is to help minimise the disposal of WEEE with household (municipal) waste and to encourage the recycling and recovery of WEEE.</p> <p>The identity of the producer of the EEE must be clearly marked on the EEE and the marking should also confirm that the item was put on the market after 13 August 2005.</p> <p>A common approach to WEEE labelling has been sought and the European standards making body, CENELEC (<a href="http://www.cenelec.org">www.cenelec.org</a>) has developed a standard for WEEE Directive marking. This standard can be purchased from the British Standards Institute (BSI) either by phone on 020 8996 9000 or from <a href="http://www.bsi.org.uk">www.bsi.org.uk</a>. The BSI has published this standard as BS EN 50419:2006. The European Commission has approved this standard as meeting the requirements of the WEEE Directive.</p> <p>Many EU member states already have WEEE labelling requirements in place, therefore if you intend to place EEE on the market in these countries you may be prevented from doing so if the EEE products are not suitably labelled.</p>
<b>Q7</b>	<b>Where can I find out more?</b>

A	<p>Seminars/workshops and conferences are being held where you can get more information and guidance on the WEEE regulations.</p> <p><a href="http://www.environment-agency.gov.uk/business/444217/444663/1106248/1622041/1474106/?lang=e">http://www.environment-agency.gov.uk/business/444217/444663/1106248/1622041/1474106/?lang=e</a></p>
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## Roles in WEEE

<b>Q7</b>	<b>What role might local authorities have under the WEEE Regulations?</b>
A	<p>The regulations do not place obligations on local authorities in their capacity as Waste Collection or Waste Disposal Authorities. However, it is likely that most household WEEE will be collected via the UK's network of civic amenity (CA) sites. Local authorities that volunteer their sites as Designated Collection Facilities (DCFs) for WEEE are likely to receive some funding from EEE retailers via the Distributor Take-back Scheme. Producer compliance schemes will be responsible for financing the cost of clearing WEEE from these sites.</p> <p>Local authorities that volunteer their sites will save money by no longer being responsible for the treatment or disposal of WEEE that arrives at their sites. They will also be able to count the recycling of WEEE towards meeting their recycling targets under the waste strategies in force in the various parts of the UK.</p>
<b>Q8</b>	<b>What is this going to mean for local authorities? How are they going to manage it?</b>
A	<p>The regulations do not place obligations on local authorities in their capacity as Waste Collection or Waste Disposal Authorities. However, it is likely that most household WEEE will be collected via the UK's network of civic amenity (CA) sites. Local authorities that volunteer their sites as Designated Collection Facilities (DCFs) for WEEE are likely to receive some funding from producers who will be responsible for funding the cost of clearing WEEE from such sites.</p> <p>Operators of DCFs <u>may</u> need to modify their Waste Management Licence, provide new signage or change the configuration of their sites. The money from the Distributors' Takeback Scheme should meet some or all of these costs. Local authorities that volunteer their sites will save money from no longer being responsible for the treatment or disposal of WEEE that arrives at their sites. They will also be able to count the recycling of WEEE towards meeting their recycling targets under the waste strategies in force in the various parts of the UK.</p> <p>A code of practice is being prepared by the DTI, to clarify what will be expected of retailers, producers and operators of DCFs.</p> <p>For more information, contact DTI. Local authorities can also contact the Local Government Association in England or the Welsh Local Government Association in Wales.</p>
<b>Q9</b>	<b>What happens when WEEE arises on business premises?</b>
A	<p>The WEEE Regulations seek to make producers (those who make the product, import the product or resell the product under their own brand) responsible for financing the collection, treatment, recovery and disposal of WEEE from business users. However, the Regulations allow producers and business users to agree alternative financing arrangements. This is a commercial decision and is likely to form part of the normal negotiating processes for supply contracts in the future.</p> <p>Different arrangements apply for WEEE arising from products put on the market <b>before</b> 13 August 2005 (known as historic WEEE). Where historic WEEE from business is being replaced by new equivalent products, the 'producer' is responsible for financing the collection, treatment, recovery and disposal when supplying the new products. In other cases, for example where the historic WEEE is not being replaced, the business will be responsible</p>

	<p>for arranging treatment and recycling.</p> <p><b>Businesses must ensure that the WEEE they produce is managed according to existing waste management legislation including the Duty of Care and the Hazardous Waste Regulations.</b></p>
<b>Q10</b>	<b>I will have to register as a producer of Electronic Equipment. How do I do this and how much will it cost?</b>
A	<p>There are two options for registering, the first is to join a producer compliance scheme. The second option is that producers can establish their own compliance scheme, either with them as the only member or allowing other companies to join them. All compliance schemes will need to have approval from one of the environment agencies. Compliance schemes will be private-sector organisations that will help producers meet their obligations. Similar schemes have existed for almost a decade to help producers comply with packaging regulations.</p> <p>For every producer registered with one of the environment agencies, a compliance scheme will have to pay an annual registration charge of £445. There are lower charges for companies that can demonstrate a turnover of £1 million or less.</p> <p>If it can be proven that the producers turnover is £1 million or less and</p> <ul style="list-style-type: none"> <li>• the producer is , or are required to be, registered for VAT – the charge will be £220.</li> <li>• the producer is not registered for VAT and is not required to be, registered for VAT – the charge will be £30.</li> </ul> <p>This charge is likely to be passed onto scheme members.</p> <p>As well as this registration charge, schemes may also charge their members a management fee for membership. The regulations do not say what this management fee should be, this will be a contractual matter between each scheme and its members.</p> <p>Producers will have to finance the costs associated with the collection, treatment, recycling and recovery of WEEE. These costs will depend on the type of WEEE involved and the contractual arrangements made. Compliance schemes will be responsible for arranging these activities and for recharging the costs to their members.</p> <p>Producers must join a compliance scheme by 15 March 2007. The Environment Agency will publish a list of approved compliance schemes by 28 February 2007. A provisional list of proposed compliance schemes is available on the Environment Agency's website. <a href="http://www.environment-agency.gov.uk/weee">www.environment-agency.gov.uk/weee</a></p> <p>EEE producers will have to submit data to their compliance scheme each year on the type, weight and units of EEE they place on the market. The scheme will pass this information onto the Environment Agency. This data will be used to work out each producer's obligation for the collection, treatment, recycling and recovery of household WEEE arising in the UK.</p>
<b>Q11</b>	<b>What will it cost me and why does it cost this much?</b>

A	<p><b><u>Producer Compliance Scheme Approval</u></b> – Anyone wishing to set up a producer compliance scheme needs approval from the appropriate authority. For schemes whose registered office or principal place of business is in England or Wales, this is the Environment Agency. The charge for each application is <b>£12,174</b>. This charge covers assessing the scheme’s operational plan, constitution and membership rules as well as monitoring its delivery of members’ obligations and changes in membership. . Approval, if granted, lasts for three compliance periods (a compliance period is normally a calendar year) unless it is withdrawn for any reason. There are no refunds if the application is refused or the approval is withdrawn.</p> <p><b><u>Producer Registration</u></b> – Compliance schemes pay an annual subsistence charge of <b>£445</b> for each member that they register with their appropriate authority. There are lower charges for smaller companies – see Q10. We expect that the schemes will recover these charges from their members, along with the scheme’s own costs (which will be for them to set).</p> <p>These subsistence charges cover the agencies’ costs in receiving and processing the membership data, maintaining the public register of producers, calculating market share information, receiving, processing and auditing compliance data and producing quarterly reports. As well as direct staff costs, they include the costs of developing and maintaining necessary IT systems.</p> <p><b><u>ATF/Exporter Approval</u></b> – Those wishing to treat WEEE and issue evidence notes or to export treated or untreated WEEE for treatment and/or re-processing (again issuing evidence notes) need to be approved by their appropriate authority. In the case of ATFs or exporters whose registered office or principal place of business is in England and Wales, this is the Environment Agency. For ATFs/exporters who issue evidence notes for less than 400 tonnes of WEEE materials in a year, the cost of approval is <b>£500</b> and for any others it is <b>£2,590</b>. For an exporter who wishes to add an extra site to an existing approval, a <b>£110</b> charge will apply. These charges cover the administrative costs of considering an application, including the costs of site visits to check the details of the application and audit records. Approval lasts until 31 December of the year it was granted for.</p> <p>The Environment Agency is required to recover the costs of regulation and other activities from those we regulate or provide a service to. In calculating charges we take account of Government standards and guidance-</p> <p>More information on the Environment Agency’s approach to setting charges can be found at <a href="http://www.environment-agency.gov.uk/business/444669/?version=1&amp;lang=_e">http://www.environment-agency.gov.uk/business/444669/?version=1&amp;lang=_e</a></p>
<b>Q12</b>	<b>What does it mean for the public?</b>
A	<p>The WEEE Regulations aim to minimise the amount of WEEE householders throw out with their general rubbish. By keeping WEEE separate from other waste it can be treated, the hazardous substances can be removed and a large amount of waste can be recycled rather than sent to landfill. Householders will be discouraged from disposing of WEEE in their bin. The regulations will create a new network of collection points for WEEE and householders should find it easier to recycle their old equipment. This may be through improved local authority civic amenity (CA) sites or new take-back facilities provided by retailers. These new arrangements are likely to become more widespread from July 2007.</p> <p>In the meantime, householders can:</p> <ul style="list-style-type: none"> <li>• take old appliances to their local CA site</li> <li>• arrange for their local authority to collect the equipment (some local authorities provide a free collection service and others charge)</li> <li>• arrange for an electrical retailer delivering new equipment to take away the old appliance.</li> </ul> <p>Householders are now covered by the Duty of Care and must ensure they only pass their waste to a Registered Waste Carrier or other approved person.</p>
<b>Q13</b>	<b>What does it mean for businesses that produce EEE?</b>

A	<p>The WEEE Regulations will have a significant impact on 'producers'. These are businesses who either import EEE, manufacture EEE, or resell equipment manufactured by someone else under their own brand. These businesses will need to join an approved Producer Compliance Scheme or set up one of their own by 15 March 2007. See also Q16.</p> <p>Producers of EEE are responsible for paying for the treatment and recycling of separately collected WEEE, from 1 July 2007.</p> <p>From 1 April 2007, producers of EEE will also have to mark all <b>new</b> equipment <b>put on the market</b> after 13 August 2005 with a crossed out wheeled bin symbol. They also need to show the identity of the producer and that it was put on the market after 13 August 2005. The purpose of the wheeled bin symbol is to help minimise the disposal of WEEE with unsorted household (municipal) waste and to encourage greater recycling and recovery.</p>
<b>Q14</b>	<b>What does it mean for retailers who sell EEE?</b>
A	<p>The WEEE Regulation also affect retailers of Electrical and Electronic Equipment (EEE). When selling EEE to the public, retailers will be responsible for ensuring that the waste can be returned to them free of charge on a one-for-one basis as long as the equipment is of an equivalent type and has fulfilled the same function as the supplied equipment. This may be through in-store take-back or another system, as long as it is no more inconvenient to the consumer.</p> <p>The WEEE Regulations provide for a Distributor Take-back Scheme (DTS) to be set up. Valpak has been selected to run the WEEE Retail Scheme for the next three years. See the Valpak website for further details <a href="http://www.valpak.co.uk">www.valpak.co.uk</a></p> <p>This will be an alternative to in-store take-back for retailers and other distributors that join the scheme. It's likely the alternative network will be based on the existing network of Civic Amenity sites.</p> <p>Distributors are also able to take returned WEEE free of charge to one of the systems established by compliance schemes for re-use, treatment or recovery of WEEE. Each compliance scheme should be able to tell you how to do this and whether they have a site near you.</p> <p>Producers of EEE must provide retailers with their unique producer registration number. This number will show that the producer has joined a producer compliance scheme and is making a financial contribution to the treatment and recycling of separately collected household WEEE.</p> <p>Retailers may agree with producers to show and charge consumers a 'visible fee' associated with the treatment and recycling of certain types of products at end of life. The WEEE Regulations set out the restrictions that apply to showing and charging such fees.</p>
<b>Q15</b>	<b>How do I join a compliance scheme?</b>
A	<p>Compliance Schemes are due to be approved during January and February 2007. The Agency will publish a list of approved compliance schemes by 28 February. A provisional list of proposed compliance schemes is available on our website, <a href="http://www.environment-agency.gov.uk/weee">www.environment-agency.gov.uk/weee</a>. Please note that this list is provisional and inclusion on the list does not imply that a scheme will become approved. The final list of approved compliance schemes will be published at the end of February 2007.</p> <p>In the meantime, we suggest that you search the Internet for potential schemes that may apply to us for approval and may be looking to recruit members</p>
<b>Q16</b>	<b>I want to set up a compliance scheme – How do I go about it?</b>
A	<p>An application form and guidance is available at <a href="http://www.environment-agency.gov.uk/weee">www.environment-agency.gov.uk/weee</a>. The form is an electronic pdf, which you can fill in, save and/or print to send back to us. You will need Adobe Reader v. 7.0.8 or later). You will need to send your constitution, operational plan and any additional</p>

information as attachments. They must reach our Sheffield office by 31 January 2007.

Compliance schemes are private sector organisations that will help producers meet their obligations under the WEEE Regulations and be a link between producers and the environment agencies. In order to become a compliance scheme a person/business will need approval from the appropriate authority (the Environment Agency for schemes based in England and Wales). You can do this by submitting an application together with the charge of £12,174. Your application needs to include the following information:

- The constitution of the compliance scheme
- An operational plan
- Details of how you will work with other schemes to manage the collection, treatment and reprocessing of WEEE.

You will need to send a completed application form and fee to the Environment Agency by 31 January 2007 for the first year. When you are seeking approval for later years, applications must be submitted between 1 July and 31 August. If you miss those dates or fail to submit the right information and documents your application may be refused. You will not be entitled to a refund of any charge paid and therefore you should ensure that the application and supporting document contain all the necessary information and are supplied in good time.

Approval of a compliance scheme will last for three consecutive compliance periods (normally calendar years). After this, compliance schemes will have to re-apply for approval.

Approval can be withdrawn in cases where there is a breach of the conditions of approval, false information is provided or the scheme operator is convicted of an offence under the WEEE Regulations.

**Q17 How do I know if the item I produce is EEE?**

A

Check if your item is in one of the following categories: (the specific items listed are illustrative only and not an exhaustive list)

1. Large Household appliances, such as-

Large cooling appliances, Refrigerators, Freezers, Other large appliances used for refrigeration, conservation and storage of food, Washing machines, Clothes dryers, Dish washing machines, Cooking, Electric stoves, Electric hot plates, Microwaves, Other large appliances used for cooking and other processing of food, Electric heating appliances, Electric radiators, Other large appliances for heating rooms, beds, seating furniture, Electric fans, Air conditioner appliances, Other fanning, exhaust ventilation and conditioning equipment.

2. Small household appliances, such as-

Vacuum cleaners, Carpet sweepers, Other appliances for cleaning, Appliances used for sewing, knitting, weaving and other processing for textiles, Irons and other appliances for ironing, mangling and other care of clothing, Toasters, Fryers, Grinders, coffee machines and equipment for opening or sealing containers or packages, Electric knives, Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances, Clocks, watches and equipment for the purpose of measuring, indicating or registering time, Scales.

3. IT and telecommunications equipment, such as-

Centralised data processing, Mainframes, Minicomputers, Printer units, Personal computers (CPU, mouse, screen and keyboard included) Laptop computers (CPU, mouse, screen and keyboard included), Notebook computers, Notepad computers, Printers, Copying equipment Electrical and electronic typewriters, Pocket and desk calculators, Other products and equipment for the collection, storage, processing,

presentation or communication of information by electronic means, User terminals and systems, Facsimile, Telex, Telephones, Pay telephones  
Cordless telephones, Cellular telephones, Answering systems, Other products or equipment of transmitting sound, images or other information by telecommunications

4. Consumer equipment, such as-

Radio sets, Television sets, Video recorders, Video recorders, Hi-fi recorders, Audio amplifiers, Musical instruments, Other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications

5. Lighting equipment, such as-

Luminaires for fluorescent lamps with the exception of luminaires in households, Straight fluorescent lamps, Compact fluorescent lamps, High intensity discharge lamps, including pressure sodium lamps and metal halide lamps, Low pressure sodium lamps, Other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs.

6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools), such as-

Drills, Saws, Sewing machines, Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials, Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses, Tools for welding, soldering or similar use, Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means, Tools for mowing or other gardening activities

7. Toys, leisure and sports equipment, such as-

Electric trains or car racing sets, Hand-held video game consoles, Video games, Computers for biking, diving, running and rowing, Sports equipment with electric or electronic components, Coin slot machines.

8. Medical devices (with the exception of all implanted and infected products), such as-

Radiotherapy equipment, Cardiology, Dialysis, Pulmonary ventilators, Nuclear medicine, Laboratory equipment for *in-vitro* diagnosis, Analysers Freezers, Fertilization tests, Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability,

9. Monitoring and control instruments, such as-

Smoke detectors, Heating regulators, Thermostats, Measuring, weighing or adjusting appliances for household or laboratory equipment, Other monitoring and control instruments used in industrial installations (for example, in control panels)

10. Automatic dispensers, such as-

Automatic dispensers for hot drinks, Automatic dispensers for hot or cold bottles or cans, Automatic dispensers for solid products, Automatic dispensers for money, All appliances which deliver automatically all kind of products.

There are a number of **exemptions** - these include filament light bulbs and military equipment.

If you are still unsure there will be internet based guidance to help you determine if your product is EEE. This will be available at [www.environment-agency.gov.uk/weee](http://www.environment-agency.gov.uk/weee).

**NB** The definition of Electrical and Electronic Equipment for the purposes of the WEEE Directive differs in some details from that for the Restriction of the

	Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) Regulations 2006. See Question 21.
<b>Q18</b>	<b>If it is unclear whether my product is EEE, how will a decision be made about my obligations?</b>
A	Once all available documents and guidance have been checked, any unresolved issues and ultimate decisions are for the courts to decide. This is a last resort and will usually cover points of principle. In the meantime the Environment Agency can give its opinion, advice and guidance, based on the Regulations, the EU Directive and decisions made in other EU member states. If having read that guidance you are unsure you may want to take independent advice.
<b>Q19</b>	<b>What does it mean for businesses that treat, recycle or recover WEEE?</b>
A	<p>The regulations will also affect businesses in the waste management industry that want to operate WEEE treatment facilities. Already, these businesses need to hold a permit (e.g. a Waste Management Licence) and this will not change. Some WEEE is already separately collected and treated because of the requirements of the Ozone Depleting Substances Regulations or the Hazardous Waste Regulations. Businesses will also have to meet the new treatment requirements for separately collected WEEE. These are laid out in the WEEE Waste Management Licensing Regulations. Guidance on the new treatment requirements is available on the Defra website and will take effect when the regulations come into force.  <a href="http://www.defra.gov.uk/environment/waste/topics/electrical/index.htm">http://www.defra.gov.uk/environment/waste/topics/electrical/index.htm</a></p> <p>The Government proposed two new exemptions from Waste Management Licensing for (a) storing WEEE and (b) refurbishing WEEE. The delay to the implementation of the WEEE Directive that was announced in December 2005 created difficulties for some operators who were expecting to be able to benefit from the new exemptions from the end of 2005. We have agreed an interim regulatory position for these operators:</p> <ul style="list-style-type: none"> <li>• Operators storing or repairing/refurbishing WEEE will not need to apply for a waste management licence, provided they meet the requirements of proposed new exemptions.</li> <li>• Other legal requirements (e.g. Hazardous Waste consignment and Duty of Care) must still be met.</li> <li>• If an operator wishes to apply for a waste management licence for these activities we shall process the application.</li> </ul> <p>Businesses should also ensure that the way WEEE is handled, stored and transported does not prevent it being treated or recovered.</p> <p>This interim position is available from our website at:  <a href="http://www.environment-agency.gov.uk/commondata/acrobat/interimpositionweee_1334830.pdf">http://www.environment-agency.gov.uk/commondata/acrobat/interimpositionweee_1334830.pdf</a></p>

## Restriction of Hazardous Substances (ROHS) Directive

<b>Q20</b>	<b>When does the ROHS come into effect?</b>
A	The UK has transposed the RoHS Directive through <i>The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2005</i> (Statutory Instrument 2005 No. 2748). These regulations came into force on 1 July 2006. The National Weights and Measures Laboratory (NWML) is the UK's national RoHS enforcement body. The Environment Agency has <b>no</b> regulatory or advisory role under these regulations.

	Further information is available from the NWML's RoHS website <a href="http://www.rohs.gov.uk">www.rohs.gov.uk</a>
<b>Q21</b>	<b>Who is affected by the restriction on hazardous substances in electrical and electronic equipment?</b>
A	<p>RoHS mainly affects businesses involved in manufacturing electrical and electronic equipment (EEE), but may also have indirect implications for component manufacturers and importers.</p> <p>The Environment Agency does not have a role in monitoring or enforcing the RoHS Regulations that came into force on 1 July 2006. The National Weights and Measures Laboratory (NWML) is the UK's national RoHS enforcement body</p> <p>Further information is available from the NWML's RoHS website <a href="http://www.rohs.gov.uk">www.rohs.gov.uk</a></p>

## Waste Management – Capacity, Treatment and Permitting

<b>Q22</b>	<b>Is there enough reprocessing capacity to handle the WEEE?</b>
A	<p>The UK has good treatment capacity for many types of WEEE. We have some of the largest and most modern fridge treatment facilities in Europe and we are currently importing fridges from France and the Republic of Ireland. We have growing capacity for the treatment of TVs and monitors with cathode ray tubes (CRTs). We also have good treatment capacity for lamps and fluorescent tubes. The capacity in these areas has been prompted by the requirements of the Ozone Depleting Substances Regulations (in the case of fridges and freezers) and the Hazardous Waste Regulations in the case of other types of hazardous WEEE. Large 'white goods' (other than fridges and freezers) have traditionally gone to metal shredders to be processed. Until recently, the UK had limited treatment capacity for other types of non-hazardous WEEE (e.g. vacuum cleaners, HiFi, etc) but two large plants have recently been commissioned and more are planned.</p> <p>The UK also has a large number of organisations that specialise in repairing and refurbishing old household and business equipment. There is no reason why stockpiles of untreated WEEE should arise and we do not expect 'TV mountains', etc.</p>
<b>Q23</b>	<b>I need to dispose of old electrical or electronic equipment. What can I do with it?</b>
A	<p>If the electrical goods are still working you should consider selling or donating them.</p> <p>Equipment that can be repaired or refurbished can be given to organisations that specialise in this activity.</p> <p>When buying a replacement product it is worth asking the supplier whether they will take away the old equipment when delivering the new equipment. You could also ask the equipment manufacturer if they have any special arrangements for recovering WEEE. Some manufacturers have recovery and recycling information on their websites.</p> <p><b>For businesses:</b> If disposal is the only option, you must ensure that you comply with existing waste management legislation including the Duty of Care and the Hazardous Waste Regulations. Waste should only be transferred to a registered waste carrier or other authorised person. Some types of WEEE are now classified as hazardous waste and should normally be kept separate from non-hazardous waste.</p> <p>Further guidance on existing waste management legislation is available from the NetRegs website. <a href="http://www.netregs.gov.uk">www.netregs.gov.uk</a></p>
<b>Q24</b>	<b>What are the rules for exporting WEEE?</b>

A	<p>Exports of waste for disposal are banned.</p> <p>Fully functioning EEE (even if second hand) is unlikely to be waste, it can be freely traded on the international market. Fridges and freezers containing CFCs are a special case and subject to export restrictions under the Ozone Depleting Substances Regulations.</p> <p>There is a legitimate trade in waste exports for recycling. However, there are restrictions on the countries waste can be sent to and there are different procedures to follow depending on the type of waste and its destination. Many waste types require formal notification BEFORE the waste is allowed to leave the UK.</p> <p>Hazardous WEEE cannot be exported for recovery to countries outside the OECD. Televisions and monitors with cathode ray tubes are examples of WEEE classified as hazardous waste. Some of the components and materials derived from treating hazardous WEEE will themselves be classified as hazardous waste.</p> <p>Further guidance on exporting waste is available from <b>the Environment Agency's TFS National Centre</b>, <a href="http://www.environment-agency.gov.uk/tfs">http://www.environment-agency.gov.uk/tfs</a></p> <p>If you are exporting WEEE for treatment and/or recovery you will need to be approved under the WEEE Regulations as a WEEE exporter. Then you will be able to issue evidence notes to WEEE compliance schemes and/or EEE producers. To be approved you will need to apply to the Environment Agency with the relevant fee. This approval is not a permit to export, you will still need to ensure any shipment or export is made in accordance with the Transfrontier Shipment of Waste Regulations.</p>
<b>Q25.</b>	<b>What does a site need to do if it wants to treat WEEE?</b>
A	<p>As with any waste management activity, a prospective operator in England or Wales has to apply to the Environment Agency for a permit (normally a Waste Management Licence). Applicants will also need to ensure that the site has appropriate planning permission. In order to treat WEEE, the operator will need to put in place the necessary equipment and processes that allow the WEEE to be treated to the required standard and in a way that does not cause harm to the environment, workers or people living nearby.</p> <p>A site that wishes to treat WEEE and issue evidence to producers will need to apply for approval by the Environment Agency. We need to receive these by 6 April 2007 to approve them in time to begin issuing evidence on 1 July 2007.</p>
<b>Q26</b>	<b>How many different WEEE items can one site treat?</b>
A	<p>The types of wastes accepted and the treatment processes permitted will depend on what the operator applies for in their application and what we allow in the permit. This is subject to any planning restrictions that may apply.</p>
<b>Q27</b>	<b>Do you have statistics on the amount of WEEE we throw away?</b>
A	<p>It has been estimated that the total amount of WEEE arising in the UK is 1.8 million tonnes each year. Work done by ICER (Industry Council for Electronic Equipment Recycling - <a href="http://www.icer.org.uk">www.icer.org.uk</a>) has estimated that of the 1.8 million tonnes, approximately 915,000 tonnes comes from domestic users, with large household appliances such as fridges and washing machines accounting for around 80% of this figure. The balance (approximately 900,000 tonnes) of WEEE comes from offices, shops, businesses and other non-household sources.</p> <p>Further information is available in the WEEE Status Report on the ICER website.</p>
<b>Q28</b>	<b>What are the cost implications for handling / treating WEEE?</b>
A	<p>All businesses wishing to carry out a waste management activity must have a permit (usually a Waste Management Licence). Under existing legislation,</p>

	<p>the Environment Agency can charge for considering permit applications and for monitoring operator compliance. The types and quantities of waste received and the nature of the treatment being done determine the charges. We consult on and publish our charging scheme annually. The current charges are available on our website.</p> <p>To operate an authorised treatment facility and issue evidence of treatment you will need to be approved by the Environment Agency. If you plan to issue evidence for treatment of more than 400 tonnes of WEEE in a year the application fee is £2, 590. If you plan to issue less than 400 tonnes of evidence the fee is £500.</p>
<b>Q29</b>	<b>I already reprocess WEEE – will I need any form of approval under the WEEE Regulations?</b>
A	<p>There is no approval necessary for reprocessors or recyclers of WEEE under the regulations. You will have to make sure that your current waste management licence or exemption covers the activities you do. You may be asked to give information to Approved Authorised Treatment Facilities, compliance schemes and/or producers on the types and quantities of WEEE that you reprocess or recycle.</p> <p>If you export WEEE for treatment and/or reprocessing overseas you will need to be approved if you wish to issue WEEE evidence notes. As an exporter of WEEE there is no obligation on you to become approved, this will be a commercial decision for you, but again, producer compliance schemes may be reluctant to send treated or untreated WEEE to exporters that cannot provide them with evidence notes. Even if you choose not to be approved as an exporter you will still need to comply with Transfrontier Shipment of Waste Regulations, which apply to the export of waste from the UK.</p> <p>To be approved you will need to apply to the appropriate authority. In the case of re-processors or exporters whose registered office or principal place of business is in England or Wales, this is the Environment Agency. The application process will require you to complete an application form and pay the relevant charge. There are two application charges, depending on the amount of evidence you intend to issue.</p>
<b>Q30</b>	<b>I am already accredited as a packaging waste reprocessor/exporter – Do I have to make a separate application for WEEE?</b>
A	<p>Yes – at the moment packaging and WEEE accreditation and approval are being operated as two separate regimes. You will have to make separate applications to be accredited as a reprocessor or exporter of packaging waste and approved as an exporter for WEEE. Each application will have to be accompanied by the relevant fee.</p>

5 January 2006