

Joint workshop on “all WEEE flows”

*How can we improve information as regards collection of
waste electrical and electronic equipment (WEEE)
through all routes?*

Organized by:
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&
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Introduction

The reality of today's WEEE market is that significant flows of WEEE are outside the control of producers or their compliance schemes. These so-called 'complementary WEEE flows' are collected by an array of actors, ranging from small-scale door-to-door collectors to large-scale scrap dealers and recyclers.

For Member States to be able to meet the targets set out in the Directive 2012/19/EU on waste electrical and electronic equipment¹ (the WEEE Directive), it is therefore important that all WEEE separately collected via these different routes counts towards the achievement of the overall target.

At the workshop jointly organized by the European Commission and DIGITALEUROPE on 14 February 2017 in Brussels, around 70 participants discussed how to go about accounting for 'all WEEE flows' in order for Member States to meet the ambitious collection targets set out in the WEEE Directive.

The workshop was an opportunity for representatives of Member States, manufacturers, recyclers and producer responsibility organizations (PROs) to learn about the challenges when it comes to capturing these flows. It also facilitated the sharing of best practice examples.

¹ OJ L 197, 24.07.2012, p. 38

Background and objectives of the workshop

Art. 7.1 of the WEEE Directive states that Member States shall meet from 2016 a collection target of 45% of the EEE placed on the market in the three preceding years and from 2019 a collection target of 65% of the EEE placed on the market in the three preceding years (or 85% if based on WEEE generated).

In order to achieve these collection targets Member States have to measure all WEEE flows. This principle is established in Article 7.2 and Article 16.4 of the WEEE Directive and elaborated in the frequently asked questions document on the WEEE Directive ([FAQ document](#)²) under question 7.6. In particular:

Art. 7.2 of the WEEE Directive states that:

*"In order to establish whether the minimum collection rate has been achieved, Member States shall ensure that **information** concerning the **WEEE** that is **separately collected** in accordance with Article 5 is transmitted to the Member States free of charge, **including** at least information on WEEE that has been:*

*(a) **received by collection and treatment facilities;***

*(b) **received by distributors;***

*(c) **separately collected by producers or third parties acting on their behalf."***

Art. 16.4 of the WEEE Directive states that:

*"Member States shall collect information, including substantiated estimates, on an annual basis, on the quantities and categories of EEE placed on their markets, **collected through all routes**, prepared for re-use, recycled and recovered within the Member State, and on separately collected WEEE exported, by weight".*

The **FAQ document's answer 7.6** further clarifies that:

*"According to Article 16(4), **Member States are required to collect information on WEEE collected through all routes**. This means that Member States should adopt measures to **involve all actors in WEEE collection** and to receive information on the quantities and categories of WEEE collected through all routes."*

The challenge for Member States is to ensure that these 'complementary WEEE flows', i.e. **flows of WEEE outside** producer responsibility schemes, are properly measured and that all separately collected WEEE undergoes proper treatment.

A study³ on collection rates of WEEE identified a number of difficulties that Member States face when implementing the WEEE Directive. The two major difficulties hampering the achievement of the collection rates are the high rate of unaccounted collection as well as the limited inspection and enforcement capacities. Thus, the study noted the dire need for better reporting through all routes.

The workshop organized by the European Commission and DIGITALEUROPE meant to take stock of the Member States' progress towards implementing the all WEEE flows approach. It also sought to demonstrate the level of achievement of the targets set out in the WEEE Directive. Lastly, it aimed at providing Member States with data and tools to enable them to measure all WEEE flows.

² <http://ec.europa.eu/environment/waste/weee/pdf/faq.pdf>

³ The final report of the study is available at http://ec.europa.eu/environment/waste/weee/pdf/Final_Report_Art7_publication.pdf

Member State approaches to improve data accounting

Member States are developing a range of tools to enable them to measure all WEEE flows. Some Member States have well-functioning and established systems by means of which the collection targets are within reach and might possibly be even exceeded. Others struggle to ensure a smooth flow and collection of information concerning separately collected WEEE in the first place. Therefore, they are in danger of not being able to meet the minimum collection rates.

Firstly, some Member States have opted for electronic tools like in the case of **Spain**. There, a database of collected WEEE, the so-called 'WEEE Platform' has been designed to provide a single source of information on the collection and management of WEEE at the state, regional and municipal level. The new tool seeks to enhance the traceability and control of data on all WEEE flows and shall ensure WEEE collection of 45% of EEE placed on the market in the three preceding years once in operation. Description obligations throughout the WEEE chains together with the creation of an allocation office shall ensure regulatory clarity. Given that the platform is still part of a pilot project, no results regarding the current or expected fulfilment of the targets are available yet. The Spanish government envisions making the usage of the database mandatory in the course of 2017 in order to fulfil the reporting requirements stipulated in the WEEE Directive.

Similarly, Recupel/Cronos in the **Flemish Region of Belgium** have developed the mandatory e-Tool 'BeWEEE', which is made available to all authorities. The 700 out of 1250 registered companies reported their first data in 2015 on the basis of 2014 figures. As per the WEEE Directive, the legal framework in Belgium foresees an obligation for all actors (producers, distributors, collectors, dealers, brokers, preparation for reuse operators, recyclers and notifiers) to report their activities. All involved actors were obliged to report their activities before 1 July 2016. Based on the numbers of 2014, a total collection of 39,12% for household and non-household WEEE was reported for 2015. It is a long process with difficult stakeholder discussions, reluctance to share figures and complex WEEE flows to track. While there is confidence in the established process, the 2019 target remains yet challenging to reach.

The concept of 'all actors' is also enshrined in the law in the **Netherlands**. As a direct result of this, the Ministry of Infrastructure and Environment, producer responsibility organisations (PROs), associations of recyclers, municipalities and waste collection as well as retailers signed a memorandum of understanding for the set-up of a "WEEE monitoring Council" in May 2015. The WEEE Monitoring Council meets on a quarterly basis in various working group formats and has contributed to strengthening joint commitments. However, the Netherlands has even gone a step further by mandating the use of WEEELabex treatment standards for all WEEE treatment facilities as of July 2015. Thanks to this set-up, there is a mandatory reporting of EEE by all compliance schemes and individual producers, as well as a mandatory reporting of WEEE by collective compliance schemes, WEEELabex certified operators and those exporting WEEE abroad for treatment. The monitoring result for 2014 and 2015 showed WEEE collection at the level of 45% of the EEE placed on the market (excluding PV panels) and this number is expected to increase.

In an effort to achieve compliance with the targets set out in the WEEE Directive, the **UK** decided to commission a study⁴ to better understand the reality of the EEE/WEEE flows onto and off the UK

⁴ <http://www.wrap.org.uk/content/weee-flows-report>

market; and to feed into the development of 'substantiated estimates' of the WEEE collected through all routes. The workshop was an opportunity for the UK to share some of the report's findings both in terms of EEE placed on the market (POM) and WEEE generated. As regards project conclusions from a compliance standpoint, including large domestic appliances in light iron in substantiated estimates will see the UK comfortably comply in 2016-18 with the WEEE collection target of 45% (based on % of average weight of EEE placed on the market in the three preceding years in the UK). Further steps and additional work are underway to provide confidence in meeting the 2019 collection target.

Italy also provides for an 'all actors system' as regards the collection of WEEE. Italian WEEE treatment facilities are obliged to subscribe to Italian WEEE Coordination Centre and provide the relevant data. The Coordination Centre seeks intelligence on WEEE managed by Italian WEEE treatment facilities as well as WEEE received by distributors (take-back obligation) on an annual basis. In 2015, 888 recycling facilities were registered to the WEEE Coordination Centre for a total of 329.460 tons of WEEE recycled declared. In this regard, a strong north-south divide can be identified, whereby the north exhibits both more recycling facilities and tons of WEEE recycled declared. In 2016, the Coordination Centre could register an increase of 14% in terms of collection volumes. Nevertheless, data from recycling facilities are still missing. With an estimated overall collection rate of 41 % (i.e. domestic and professional WEEE), Italy is coming closer but is still not fulfilling the EU target.

Lastly, **Denmark** has undergone a major mapping exercise of the unaccounted WEEE flows. With regard to the WEEE collection target the worst-case scenario amounts to 39% of the quantity sold and 72% in the best-case scenario. The WEEE collection target is within reach in case both the non-recorded quantities sold are included in the statistics (202,500t) and the non-recorded quantities collected are included in the statistics (78,600 t). The four most important shadow streams include, firstly, municipal collection through recycling centres and bulky waste services (75.000t), secondly, the collection of WEEE from businesses (17.500t), thirdly, retail trade (end-of-life white goods taken back at the sale of new product (15.450t) and fourthly, theft from recycling centres and bulky waste collection as well as the sale of WEEE to unauthorized scrap dealers (12.500t). For all shadow streams the mapping exercise identified barriers to the increase of the monitoring of data. With varying degrees they are linked to:

- a) data monitoring systems (e.g. two different data systems with different break downs of waste – either only reported in one system or not at all, no incentive to report to the Waste Data System or no systematic calculation of exports of used equipment and no systematic calculations of accumulation in society)
- b) control (e.g. lack of control, supervision and enforcement of theft of WEEE and illegal scrap dealers) and
- c) the organisation of the producer responsibility (e.g. the municipalities do not have a financial incentive to streamline their collection; or, there is an incentive to collect WEEE with value outside the producer responsibility and the collective schemes. Those who collect this equipment avoid having to report data, as their activities are illegal).

The identified barriers have formed the basis of specific recommendations, such as the establishment of a single and easy data entry for stakeholders. There are currently no real incentives to invest in the development of the system.

Challenges ahead and possible actions

The workshop demonstrated that Member States still have to overcome major challenges – even if to varying degrees - to be able to achieve the 2019 WEEE collection target.

The participants of the workshop identified the most significant challenge being how to measure **B2B WEEE flows**. Some grey areas relate to the accounting of leased returns and, more generally, of asset recovery operations and practices around export of used EEE. Scavenging of equipment, secondary consumer market and double counting were listed as factors contributing to an even more complex picture.

In an effort to close at least some of those data gaps, **the workshop's participants suggested:**

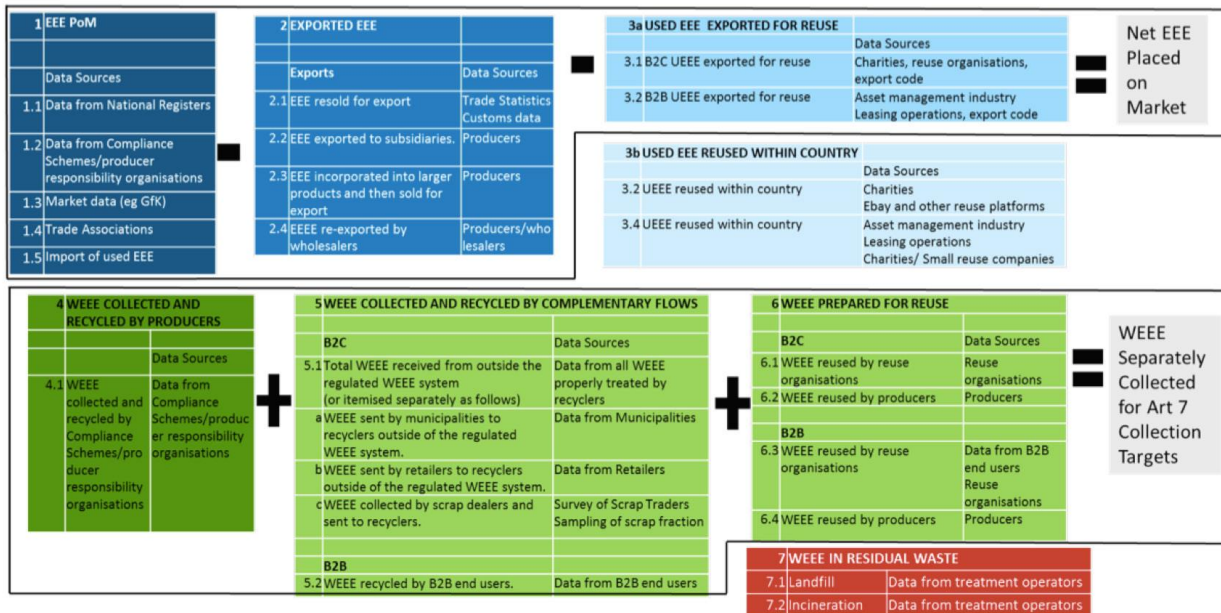
- The potential for research studies of used EEE and WEEE reused and recycled by Asset Management Companies and reuse organisations;
- Involving scrap metal dealers given their crucial role in the WEEE value chain;
- Providing practical guidance to distinguish between preparation for reuse and reuse to advance a better of accounting of all flows;
- A system to check what is being reported to ensure the quality and completeness of the data;
- Some harmonisation and common understanding between Member States on what to track, trace and report to the European level;
- A level playing field for the treatment of WEEE: all WEEE should be treated according to the very same standards (as per Dutch model).

A way forward on "all WEEE flows"

The workshop showed that there is a range of options available to Member States to measure all WEEE flows. These include:

- Developing an IT tool and reporting platform
- Creating a stakeholder group to bring all actors together
- Mandating that all actors report their data
- Undertaking studies to inform 'substantiated estimates of "all WEEE flows"'.

The below figure presented an effort from DIGITALEUROPE⁵ to visualize the datasets that need to be taken into account:



⁵ http://www.digitaleurope.org/DocumentDownload.aspx?Command=Core_Download&EntryId=2347