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b-solutions

FINAL REPORT BY THE EXPERT

Advice Case: Consolidation of the circular economy concerning the WEEE

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1. Introduction

"estraee, "*Cross-Border Sustainable Strategy for the Management of Waste Electrical and Electronic Equipment*" is a European project co-financed by the European Regional Development Fund (ERDF).

The estraee partners are: Provincial Council of Pontevedra (main partner), Lipor-Serviço Intermunicipalizado de Gestão de Resíduos do Grande Porto; Revertia, Reusing and Recycling; Energylab, Fundación Centro Tecnológico de Eficiencia y Sostenibilidad Energética and ERP, European Recycling Platform (in Portugal and Spain). The present report was based on meetings and interviews with all the partners.

estraee aims to boost the management of waste electrical and electronic equipment (WEEE) in the cross-border area of Galicia-Northern Portugal, strengthening reuse as a priority option and involving citizens, local administrations, manufactures, producers (through the Extended Producer Responsibility Systems) and waste managers.

B-solutions is an initiative promoted by the European Commission's Directorate-General for Regional and Urban Policy (DG REGIO) and managed by the Association of European Border Regions (AEBR) to tackle legal and administrative border obstacles along EU internal borders.

Support the identification of legal or administrative obstacles the partners face when implementing projects in a border area and provide suggestions on strategies to remove the difficulties which hinder cooperation with the neighbouring country.

2. The theoretical framework: the proximity principle and environmental protection across the borders

The estraee project is more than a simple cross-border cooperation project. It can be a testbed for two fundamental waste law principles.

In fact, the results of the overall project will contribute to assessing and balancing the environmental advantages of the prevalence of the **proximity principle** over the **self-sufficiency principle** at the national level. Both principles are laid down in the article 16 of the Waste Framework Directive (WFD):

> **Article 16 Principles of self-sufficiency and proximity**
>
> 1. Member States shall take appropriate measures, in cooperation with other Member States where this is necessary or advisable, to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers, taking into account best available techniques.
>
> 2. The network shall be designed to enable the Community as a whole to become self-sufficient in waste disposal as well as in the recovery of waste referred to in paragraph 1, and to enable Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.
>
> 3. The network shall enable waste to be disposed of or waste referred to in paragraph 1 to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.

Applied at the Member-State level, these environmental principles have conflicting outcomes.

The self-sufficiency principle conducts to the avoidance of waste movements across the national borders. Each Member State shall be responsible for the waste produced by economic processes, consumer activities or any other occupational activities carried out inside the national territory. Responsibility and waste management risks and environmental burdens shall not be transferred onto another country.

On the other hand, the proximity principle advocates the choice of the closest waste management option, among those available, considering the waste hierarchy. The proximity

principle discourages waste movements for remote, or at least geographically distant waste management facilities, whose access requires long transport routes. In border regions, choosing the closest waste management facility involves looking for options across the border as well. In the end this may determine the choice of a management option situated close at hand, although based in a neighbouring country.

Obviously these principles must be articulated with other principles and norms, while complying with the waste hierarchy (article 4) and observing the safeguards laid down in the European Directive (article 13) thus achieving the overarching waste management objective: to "deliver the best overall environmental outcome" (article 4 n.2).

Article 4 Waste hierarchy

1. The following waste hierarchy shall apply as a priority order in waste prevention and management legislation and policy:

(a) prevention;

(b) preparing for re-use;

(c) recycling;

(d) other recovery, e.g. energy recovery; and

(e) disposal.

2. When applying the waste hierarchy referred to in paragraph 1, Member States shall take measures to encourage the options that deliver *the best overall environmental outcome*.

This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste.

Article 13 Protection of human health and the environment

Member States shall take the necessary measures to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular:

(a) without risk to water, air, soil, plants or animals;

(b) without causing a nuisance through noise or odours; and

(c) without adversely affecting the countryside or places of special interest.

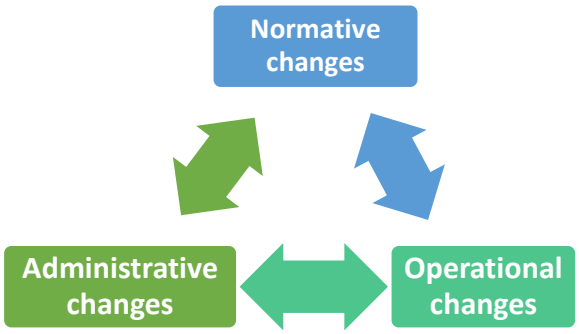
When, after performing a life cycle assessment, it is found that the best waste management environmental option is preparing waste for re-use or recycling in a dedicated facility across the

border, it is imperative to remove administrative regulatory or legislative obstacles that hinder the achievement of the best overall environmental outcome.

3. Possible solutions to support circular economy

The removal of obstacles may consist on a wide range of measures and initiatives regarding one or more steps of the waste management cycle, from discarding by the WEEE producer to placement on the market by the recovered EEE distributor. In the present report different moments and activities (collection, transport, storage, preparing for reuse, repairing, removal) were analysed.

The initiatives can involve various changes and adaptations:



Normative changes consist of harmonization, simplification or redrafting of legal requirements at the regional, national or European level.

Administrative changes amount to alterations of administrative controls or adjustment of procedures carried out by the national or regional administrations.

Operational changes embody new practices, different terms or conditions for action, transformation of attitudes.

As will be seen later, most of the obstacles reported by the partners do not require normative changes. Administrative and/or operational changes are enough to overcome the obstacle.

Yet, implementing legal and administrative simplification is not an easy task[1].

The reason for this is the fact that environmental law — and particularly waste law — is quite a complete and complex system of norms whose implementation can be as demanding for the national administrations as it is for the private operators of economic and occupational activities.

Having this in mind, in 2018, the European Commission explained, in a very clear way, that non-compliance with environmental law "may occur for different reasons, including confusion, poor understanding or lack of acceptance of rules, lack of investment, opportunism and criminality"[2].

This complexity of reasons for obstacles to legal effectivity explains why the problem cannot be addressed using a *silver bullet* solution. Instead, multiple instruments must be mobilized[3].

Besides, very often, changing the law won't solve any problem. Moving from ***law-in-the-book*** to ***law-in-action*** demands different approaches depending on the cases. The competence to apply, execute and enforce environmental (and waste) law is up to the Member States, multiple solutions can be implemented by the competent authorities of the Member-States. The solutions can be graduated from the softest environmental education actions to the classical command and control measures. The European Commission presented three levels of 'environmental compliance assurance' measures[4]:

- compliance ***promotion*** helps duty-holders to comply through means such as guidance, 'frequently asked questions' and help-desks;

[1] OECD, *Overcoming Barriers to Administrative Simplification Strategies: Guidance for Policy Makers*, Regulatory Policy Division Directorate for Public Governance and Territorial Development, Paris, 2009 https://www.oecd.org/regreform/42112628.pdf . OECD, Cutting red tape. Why Is Administrative Simplification So Complicated? Looking beyond 2010, Paris 2010 https://read.oecd-ilibrary.org/governance/why-is-administrative-simplification-so-complicated_9789264089754-en#page10

[2] *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on EU actions to improve environmental compliance and governance* {SWD(2018) 10 final} Brussels, 18.1.2018 COM(2018) 10 final https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018DC0010&from=PT.

[3] On legal criteria for the choice among policy instruments see Sarah E. Light & Eric W. Orts "Parallels in Public and Private Environmental Governance", 5 Mich. J. Envtl. & Admin. L. 1 (2015) http://repository.law.umich.edu/mjeal/vol5/iss1/1.

[4] In the same Communication on EU actions to improve environmental compliance and governance {SWD(2018) 10 final} Brussels, 18.1.2018 COM(2018) 10 final https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018DC0010&from=PT.

- compliance ***monitoring*** identifies and characterises duty-holder conduct and detects and assesses any non-compliance, using environmental inspections and other checks;

- follow-up and ***enforcement*** draw on administrative, criminal and civil law to stop, deter, sanction and obtain redress for non-compliant conduct and encourage compliance.

Drawing on the approach of the European Commission, a more innovative approach can be devised[5]. This novel approach is based on four levels of measures, organised from the *softest* to the *hardest*.

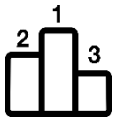
1. **Informative solutions**:

Besides suport systems such as FAQs or help-desks, also smart digital forms to help economic operators fulfill their obligations can help overcome administrative obstacles. Complementarily, the Autonomous Communities, the waste management entities and the economic operators can organize awareness campaigns either using the media (which can be quite an expensive option) or simply including additional information about the legal obligations regarding sound waste management in every written communication between them and the economic operators-waste producers[6].

2. **'Nudge' solutions:**

[5] Another interesting but more conventional proposal is: James Salzman, Teaching Policy Instrument Choice In Environmental Law: The Five P's 23 *D*uke *E*nvironmental *L*aw *& P*olicy *F*orum 363-376 (Spring 2013), https://scholarship.law.duke.edu/delpf/vol23/iss2/8/.

[6] For instance, including adding to the heading of a tax communication "Does your firm have computers, printers and other IT equipment? Did you know that when they become obsolete you will be a WEEE producer and you must be registered as a waste producer and dispose of the WEEE through an authorised waste managing company? Get your NIMA now". In the experience held by the UK government in 2014 for the area of health (organ donation) this proven to be a very effective behavioural change tool (more information on https://www.gov.uk/government/news/celebrities-back-christmas-campaign-for-more-organ-donors).



The competent authorities can use *soft persuasion* techniques no induce behavioural change (also called "nudge"[7]). A positive approach can consist of creating labels or performance rankings to promote the most environmentally friendly enterprises, the early and spontaneous fulfilment of legal obligations being one of the criteria, among others. A negative approach can consist of public *blacklists* of noncompliant waste producers, or in other words, companies who were found in breach of any environmental norms or that were less diligent than expected or less cautious than desired. Positive or negative economic incentives can be considered a 'nudge' type of instrument.

3. Soft steering solutions:

Administrative authorities can lead waste producers and waste management entities to develop compliance management mechanisms[8]. For the economic operators that have already implemented compliance management mechanisms, competent authorities can apply the "Guidance on Compliance Management System supervision"[9] produced by IMPEL in 2014 together with Member States' environmental administrations to check the effectivity of compliance check strategies.

This document provides inspectors with guidance on principles and strategies for corporate inspection[10] so that the purpose of inspection is not to measure compliance levels but rather to assess corporate compliance strategies. The ultimate objective is that inspections

[7] Richard H. Thaler, Cass R. Sunstein, *Nudge: Improving decisions about health, wealth, and happiness*, Yale University Press, New Haven, CT, 2008. For concrete examples in the UK see: https://www.gov.uk/government/organisations/behavioural-insights-team.

[8] European Commission, *WEEE compliance promotion exercise*, Reference: 07.0201/2016/737282/ETI/ENV B.3 Final report 21 December 2017 https://ec.europa.eu/environment/archives/waste/reporting/pdf/Final_Implementation_Report_2013_2015_WEEE.pdf.

[9] Impel, "Guidance on Compliance Management System supervision", Brussels, 2014 http://impel.eu/wp-content/uploads/2015/03/FR-2014-16-2013-15-CMS-Supervision-Guidance-Document.pdf.

[10] In 2003 there was already an Impel project to develop and test "a voluntary scheme for reporting and offering advice on inspectorates and inspection procedures" in Galicia: *Impel Review Initiative (IRI), Phase 3: Testing of the Review Scheme, 6th Review: Autonomous Community of Galicia, Spain, 3-7 March 2003* https://www.impel.eu/wp-content/uploads/2016/06/iri_spain-2003.pdf. The final report was produced in 2009 Impel Review Initiative (IRI) "A voluntary scheme for reporting and offering advice to environmental authorities" Report on the IRI *that* took place in Lisbon between 27 to 30 October 2009 at the Portuguese Environmental and Spatial Planning General Inspectorate (IGAOT), https://www.yumpu.com/en/document/view/12980358/2009-09-iri-portugal-final-report-impel.

serve companies to improve their internal processes in order to ensure compliance rather than to operate outside the law, seeking to conceal situations of non-compliance. Sanctions will only be imposed on companies that fail to correct the pinpointed nonconformities. When public interests are at stake risk prevention is considered more important than mere formal compliance with the law.

4. Hard enforcement solutions:

Establishing interdictions and positive obligations followed by more environmental inspections[11] is the classical ***command and control*** approach. Supervision and inspections[12] shall be performed by the competent authorities of the Member State (Seprona or Igamaot, for instance) in accordance with the Recommendation of the European Parliament and of the Council of 4 April 2001, providing for minimum criteria for environmental inspections in the Member States[13] and applying sanctions to all those economic operators that don't comply with their obligations. The sanctions shall be effective, proportionate and dissuasive[14].

[11] On Inspection and Sampling Procedures for WEEE see Environment Agency, Transfrontier Shipment of Waste: Inspection and sampling procedures, Wales, 2011, http://www.impel.eu/wp-content/uploads/2017/01/Transfrontier-Shipment-of-Waste-Inspection-and-sampling-procedures.pdf. At the international level see Secretariat of the Basel Convention, *E-waste Inspection and Enforcement Manual, Developed in the framework of the SBC E-waste Africa project*, Switzerland, 2012, http://www.basel.int/Portals/4/download.aspx?d=UNEP-CHW-EWASTE-MAMUAL-INSPEnforcement.English.pdf .

[12] Impel, Benchmarking on Quality Parameters for Environmental Inspectorates IMPEL workshop in Copenhagen 8 - 9 September 2005, Report 8/2005, Brussels http://www.impel.eu/wp-content/uploads/2017/01/benchmarking_report.pdf. IMPEL Project *Practical Application of Better Regulation Principles in Improving the Efficiency and Effectiveness of Environmental Inspection Authorities,* Report October 2009 http://www.impel.eu/wp-content/uploads/2017/01/2009-04-Better-regulation-principles-main-1.pdf.

[13] Recommandation 2001/331/EC https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001H0331&from=PT.

[14] According to article 36 n.2 of the WFD, 22 of the WEEE Directive and the case law of the European Court of Justice (e.g. Case 68/88 Commission v Greece [1989] ECR 2965, §23 and §24).

4. Reasons for the removal of obstacles

The legal, administrative or operational changes to be proposed do not refer only to environmental/waste legislation, to environmental/waste administrative activities or to operational waste management. The changes proposed also refer to other fields of European and national law, namely public procurement.

Nevertheless, it is important to stress that the changes proposed are solely justified on environmental and health grounds, and only provided that they imply neither increasing environmental or health risk, nor lowering the overall level of environmental and health protection.

Other non-environmental arguments, like economic motivations (such as lowering the management costs, obtaining economies of scale or savings in transportation charges) or social and humanitarian reasons (gender equality, integration of disabled workers, social minorities or migrant workers) were not taken into account as elements in the obstacle removal equation.

They can be considered as a *plus*, a collateral advantage of obstacle removal, but they are not a critical factor unless some of these economic savings represent environmental advantages as well, such as increased energy efficiency and reduced greenhouse emissions.

Furthermore, any proposals for harmonization or simplification of the legal framework and administrative practices shall respect other non-environmental values, such as transparency, freedom of competition, prevention of tax evasion, fraud or corruption.

5. Obstacles to reported by the estraee partners

Contacts in the form of meetings and interviews with stakeholders were held to help identify, in each of the three moments, legal, administrative and operational changes needed to overcome the obstacles hindering the success of the best waste management solution.

In the context of the present project, a broad concept of obstacles was adopted. An obstacle is not just an interdiction, a barrier or an impossibility to perform certain activity but also a burden, responsability, ommission, uncertainty, unfamiliarity… that makes circular economy more difficult in border regions.

Full understanding of the legal, administrative and operational changes prescribed to tackle the obstacles shall be based on the awareness of the most important steps in the WEEE recovery management cycle.

For the purposes of the present study, three major steps of the WEEE management cycle shall be considered: upstream management, treatment and downstream management.

Upstream management includes collection[15] and transport[16]. Since the waste stream is composed of EEE for reuse, separate collection[17] will be mostly considered.

Treatment[18] includes intermediate operations such as removal[19], sorting[20], preparing[21] for re-use[22] and recycling[23].

[15] Article 3 n.10 of the WFD: 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility.
[16] Article 6 of the WEEE Directive requires that "Member States shall ensure that the collection and transport of separately collected WEEE is carried out in a way which allows optimal conditions for preparing for re-use, recycling and the confinement of hazardous substances".
[17] Article 3 n.11 of the WFD: 'separate collection' means the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment.
[18] Article 3 n.14 of the WFD: 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal.
[19] Article 3 n.1 l) of WEEE Directive - 'removal' means manual, mechanical, chemical or metallurgic handling with the result that hazardous substances, mixtures and components are contained in an identifiable stream or are an identifiable part of a stream within the treatment process. A substance, mixture or component is identifiable if it can be monitored to verify environmentally safe treatment.
[20] Article 3 n.10 of the WFD: 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility.
[21] Article 3 n.16 of the WFD: 'preparing for re-use' means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing.
[22] Article 3 n.13 of the WFD: 're-use' means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived.
[23] Article 3 n.17 of the WFD: 'recycling' means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.

Downstream management is a synonym of recovery[24] and includes placement on the market[25] and distribution[26].

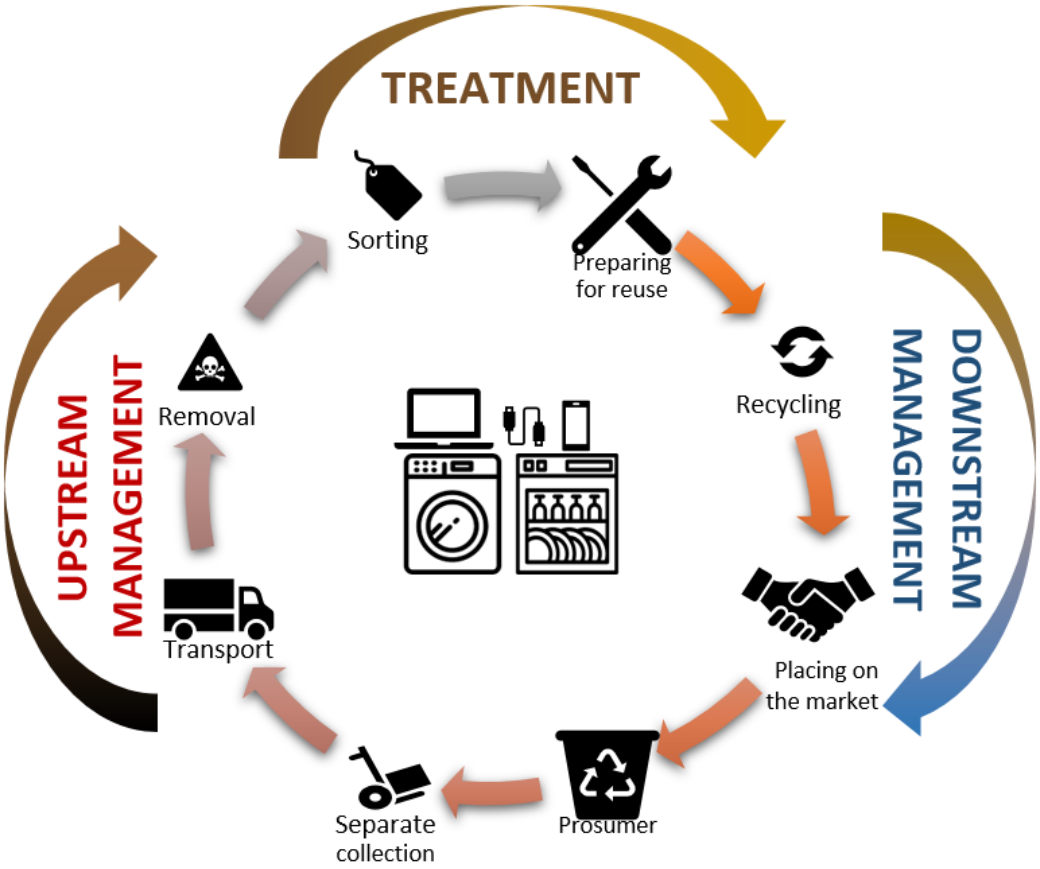


Fig. 1. The WEEE management cycle.

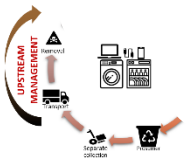
[24] Article 3 n.15 of the WFD: 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. Annex II sets out a non-exhaustive list of recovery operations.

[25] Article 3 n.1 k) of WEEE Directive 'placing on the market' means the first making available of a product on the market within the territory of a Member State on a professional basis.

[26] Article 3 n.1 g) of WEEE Directive 'distributor' means any natural or legal person in the supply chain, who makes an EEE available on the market. This definition does not prevent a distributor from being, at the same time, a producer within the meaning of point (f);

5.1. Upstream obstacles

Three upstream obstacles were identified by two stakeholders: Revertia and Lipor.



Obstacle 1. Professional WEEE producers often do not have an identification number.

WEEE producers can be individuals (domestic WEEE) or economic operators which carry out different economic activities, other than waste management (professional WEEE). Professional WEEE must have an individual environmental identification number (NIMA). As reported by Revertia, this is mostly the case of corporate offices and administrative services which produce IT WEEE such as laptops, tablets, smartphones, etc. sporadically. The procedure of registering as waste producer and obtaining the NIMA causes delays reported by ERP to take up to 2 or 3 weeks in some Autonomous Regions in the WEEE collection and subsequent waste management operations, sometimes making it impossible to reuse the EEE (the equipment can be damaged if it is badly stored and in the case of smartphones, the operative system becomes even more obsolete).

WEEE cannot be collected without the NIMA

Obstacle 2. EEE waste producers store WEEE longer than they should

Both professional producers (as reported by Revertia) and households (as reported by Lipor) are reluctant to discard EEE (obsolete but still functioning, malfunctioning, or broke) and store it for

long periods (over one year) in the premises of the company or at home (in the garage, in the attic).

Besides, not knowing who the WEEE producers are (because they are not registered) makes it difficult for companies dedicated to promoting reuse of WEEE such as Revertia, to develop awareness actions among the producers.

Long storage periods make repair and reuse more difficult

Obstacle 3. Some kinds of WEEE are considered dangerous waste even if they don't need any treatment for reuse

In Spain IT equipment (provided that it has an LCD, such as laptops or tablets) is treated as dangerous waste regardless of the fact that it is perfectly functional. Even when the equipment is working perfectly (neither broken nor malfunctioning) and in perfect state of conservation it is treated as dangerous waste and submitted to stricter conditions on permitting, transport (vehicles, driving license), storage, etc..

Treating IT equipment as dangerous makes collection, transport and treatment more difficult

5.2. Treatment obstacles

Two treatment obstacles were identified by Energy Lab and Lipor.

Obstacle 4. Separate contracting procedures for each Member State

Although European Directives allow for cross-border award of contracts, this option was not chosen by the partners. There were several reasons for this option: non-harmonized and cumbersome rules on public procurement, negative advice of the legal departments[27], and differences in the necessary works to carry out in each country. As a consequence, there were two parallel processes for the contracts celebrated in Portugal and Spain (still pending). The implementation of reception centers for WEEE (called '*ecocenters*' in Portugal and '*clean centers*' in Spain) demanded engineering projects and civil works (mostly in Spain) and acquisitions of equipment (mostly in Portugal). As a consequence of the two contracting processes the bureaucracy doubled and the total implementation time expanded (in Spain, the award procedure is still underway).

Parallel instead of integrated contracting procedures

Obstacle 5. Different requirements for collection centers

Non harmonization of technical solutions and layout options for the collection centres prevented joint processing of the contracting and implementation of reception centers.

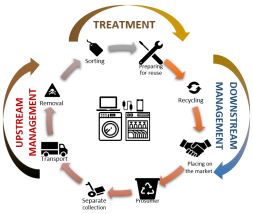
The collection centres were conceived as an upgrade of the previous systems and look like large metal boxes in Portugal and metal cages in Spain.

As reported by Energylab, the waste management results (recycling and reuse rates) will be harder to compare, as the outcome of the recovery activities also depends on the physical conditions of the installation.

Different technical solutions are implemented

[27] As reported by Lipor, their legal department considered the joint contracting between Portugal and Spain legally impossible.

5.3. Downstream obstacle



One downstream obstacle was identified by one stakeholder:

lipor

Obstacle 6. Low investment in preparation for reuse

Lipor distributes repaired EEE for reuse by means of donation, i.e. only for caritative or humanitarian purposes. Why? Because the administrative procedure for obtaining a permit for recovery centers that produce EEE to be sold in the market for reuse is similar to obtaining an industrial permit, which is considered to be too cumbersome and complex. This means that less investment is affected to the WEEE recovery as it is not a profitable activity. The possibility to invest on highly skilled workers to create a technical staff to work in the repairing of WEEE is not viable. This hampers the desired qualitative leap in the implementation of circular economy through state-of-the-art recovery of the WEEE fraction for reuse.

Recovery for donation does not allow the recovery activity to grow

6. Legal norms behind the obstacle

On the analysis of each obstacle, the banners above the short description help identify the most relevant normative level (regional, national or European, one or two member States), anticipating the entities responsible for future implementation of corrective measures to overcome the obstacle.

6.1. Obstacle 1. NIMA for professional WEEE producers

Adequate management of waste flows is only possible when waste producers and managers are well known. This explains why some Member States have created several registers. In Spain, one of them is the register of WEEE producers, a database of all types of different economic activities generating WEEE which cannot be discarded as urban waste. Each producer has its own environmental identification number (called NIMA - see in **Annex I** for information notice of the Ministry for Environment on the NIMA). In the case of EEE producers or importers[28], extended producer responsibility obliges them to take charge of the WEEE generated by their clients, consumers of EEE and subsequently private producers of WEEE, and, of course to have their NIMA. But some WEEE producers are not manufacturers or importers of EEE. They are simple users, although professional/corporate. This is the case of non-industrial producers such as clinical analysis laboratories, car dealers or any corporate offices and administrative services, for instance. They do not sell EEE but they consume EEE and therefore they generate WEEE. As a consequence, they are also obliged to obtain the NIMA. However, this is not an obvious obligation and very often it is only when they are filling the forms to hand out their old informatic equipment that they realize for the first time that the law obliges them to be registered as WEEE producers and obtain a NIMA.

[28] For producers or importers of EEE see the Commission Implementing Regulation 2019/290 of 19 February 2019, *establishing the format for registration and reporting of producers of electrical and electronic equipment to the register*.

Besides, between the producers of dangerous WEEE and the operators intending to carry out waste recovery operations, agreements must be celebrated[29]. For this purpose, some forms must be completed. One of the fields in these forms is precisely for the environmental identification number (see **Annex II** of the present report, an example of the form where the NIMA is required).

In Portugal similar obligation is established in article 48 of the Waste Law[30] but the process is completed automatically and without delay in the *Siliamb* webportal[31].

In Spain, the obligation to get a NIMA has been in force since 2011[32] for general waste, and since 2015[33] for WEEE. The competence to organize a national register of waste production and management belongs to the Autonomous Communities[34].

Although from the perspective of the Autonomous Community of Galicia this is seen as a simple administrative step (see **Annex III** for Galicia), the perception of the operators seems to be different, and in some Autonomous Communities delays between 2 and 3 weeks have been reported due to this simple administrative procedure.

Besides, there are big differences among the Autonomous Communities in what concerns the contents and structure of the data bases as well as the accessibility of the data:

In Murcia, the information on waste producers that have been registered using their WEEE codes and the number of the European List of Waste is available for consultation. It is possible to search using multi-criteria query (by NIMA code, by fiscal identification code, by Province, by European Waste List Code, etc.) and to have access to the full list of companies that generate WEEE and are registered as WEEE producers.

In Andalucia, Castilla la Mancha, Cantabria, Comunidad Valenciana and Extremadura, it is only possible to search using the NIMA code or the fiscal identification code. It is possible access to

[29] Article 6 n.3 of the Spanish Royal Decree 110/2015, of February 20, on WEEE "Producers of electrical and electronic equipment may establish cooperation mechanisms or voluntary agreements with those responsible for the repair and reuse of these devices, with the reuse preparation centers and with those responsible for the treatment of WEEE to facilitate repair, reuse , disassembly and recovery of WEEE, its components and materials."
[30] (Decree-law 2011/) and the operators must pay a fee of 25€ for registration (article 57º).
[31] https://siliamb.apambiente.pt/pages/public/login.xhtml.
[32] Spanish Law 22/2011, 28 July, on waste and contaminated soil.
[33] Spanish Royal Decree 110/2015, of February 20, on WEEE.
[34] Article 39 of the Spanish Law 22/2011, 28 July, on waste and contaminated soil.

full list of companies with NIMA but it is not possible to identify only those that declared producing WEEE.

In Galicia, Castilla y Leon, Cataluña, Madrid, Aragón, Asturias and la Rioja, there is some information available on waste producers in general, but it is not possible to identify the WEEE producers or search using the codes of the European Waste List. Consultation is possible only if the NIMA or the fiscal identification code is known and the full list of NIMA companies is not accessible.

In the remaining Autonomous Communities (Canárias, Navarra, Pais Vasco and Baleares), NIMA bases do not exist or are not yet operational.

1. Proposed solutions

Admitting that the existence of a register is an important knowledge tool, the *deregulation* option will not be considered.

Nevertheless, it should be mentioned that the European Union Network for the Implementation and Enforcement of Environmental Law - IMPEL calls the attention to the fact that "there is concern that there is no *de minimis* provision for producers. Registering and monitoring producers with very small market shares is inefficient and enforcement action is impractical against such businesses"[35].

Besides, the procedure for the obtention of the NIMA should be as simplified as possible (online requirement, automatic emission, no taxes).

Hence soft instruments — such as information campaigns and positive nudge initiatives — might prove useful for stimulating operators to adjust their behaviour and timely fulfil their legal obligations.

These campaigns must be carried out by the public authorities.

[35] IMPEL, "Practicability and Enforceability of the WEEE Directive Recast Proposal", *Report 2009/11*, Brussels https://ieep.eu/archive_uploads/424/impel_pe_assessment_weee.pdf.

6.2. Obstacle 2. Long storage of WEEE by the producer

In what regards the legal obligation to discard waste, Spanish law[36] is quite clear:

> Article 18. Obligations of the producer or other initial holder related to the storage, mixing, packaging and labelling of waste.
>
> In relation to storage, mixing and labelling of waste at the place of production, the producer or other initial holder of waste is obliged to:
>
> 1. Maintain stored waste in adequate hygiene and safety conditions while in its possession.
>
> The duration of storage of non-hazardous waste at the place of production will be *less than two years* when they are destined for recovery and one year when they are destined for disposal. In the case of hazardous waste, in both cases, the maximum duration will be *six months*; In exceptional cases, the competent body of the Autonomous Communities where such storage is carried out, for duly justified reasons and provided that the protection of human health and the environment is guaranteed, may modify this period.
>
> The mentioned deadlines will begin to compute from the beginning of the deposit of waste in the place of storage.

In Portugal storing waste in the place of production for periods over one year it requires a simplified permit; contrastingly, for less than one year does not require a permit (article 32 1 b), *a contrario sensu*).

> **Article 32 Simplified Licensing**
>
> 1 – The following activities will be permitted adopting a simplified procedure to issue permits by the authorising entity within 30 days:
>
> (…)
>
> (b) waste storage, when carried out in the place of production, in compliance with the specifications applicable techniques and for a period exceeding one year;

[36] Law 22/2011, of 28 July, on waste and contaminated soil.

The fact that the producers store WEEE instead of discarding it through an agreement or a contract with a WEEE operator reflects a low level of awareness or a low level of acceptance of waste law rules.

WEEE producers have not yet fully *internalized* their legal obligations. Operators don't know, don't understand or don't agree with their legal obligations. Compliance with waste law and adaptation of economic activities to legal requirements is not yet routine among economic operators in 100% of the cases.

Having access to the registration of waste producers (in accordance with article 16 of the WEEE Directive, corresponding in Spain to the Waste Production and Management Register of the Royal Decree 110/2015 of 20 February) would help the waste operators like Revertia to raise awareness among WEEE producers. As explained above, this is possible only in 7 out of 17 Autonomous Communities.

1. Proposed solutions

Campaigns to raise awareness among waste producers, incentives for waste producers to implement compliance management systems, supervision of existing compliance management systems, inspections and sanctioning illegal storage of dangerous waste.

6.3. Obstacle 3. Some kinds of WEEE are "over-classified" as dangerous waste

The implementation of the classification of WEEE is not an easy task[37]. Since August 2018 every WEEE has to fit into one of 6 categories defined in the WEEE Directive[38]. The two fractions covered by the estraee project have different regimes: dishwashers and washing machines are not dangerous. IT equipment depends on the precise type of product. Both in Portugal and Spain, in accordance with the Commission Decision establishing a list of types of waste, CRT and

[37] See Impel, *WEEE Directive Implementation and Enforcement*, Report number: 2018/06/3, Brussels, https://www.impel.eu/wp-content/uploads/2016/12/WASTE-Report-Classification-of-WEEE-def.pdf.
[38] Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment.

LCD monitors are considered dangerous. On the contrary, the LED and OLED monitors are not treated as dangerous waste. Laptops have batteries and mercury components which can make them a dangerous waste again.

In Spain a subcategory was created for these products. A two-digit code was added to the European category 6 of WEEE, corresponding to code 200135* of the European List. In Spain the so called LER RAEE list attached to the 2015 Royal Decree, assigns these products the code 200135*61*[39].

Consequently, the application of EU law[40] by the Member States[41] and administrative practice regarding laptops, tablets and smartphones seems to be less coherent then desirable. Even within the territory of a Member State, different regional administrations can have divergent interpretations.

But the fact that the legal regime applicable to a broken LCD laptop and legal regime regulating a perfectly functional LCD laptop are precisely the same — doesn't make much sense. Treating certain IT equipment as waste — and what is worse, as dangerous waste — regardless of its conservation state, can be a stimulus to bad manipulation, careless transport and negligent storing.

However, this can change, similarly to what happened in 2008, after 30 years of "fundamentalism" in the interpretation of European waste law. With the new Waste Framework Directive, there was a Copernican evolution: the admission, for the first time ever, in black letter law, of the recurrently denied category of "**by product**"[42] definitely changed the face of European waste law for the better.

[39] See annex IV to this Report.
[40] Commission Decision 2014/955/EU of 18 December 2014 establishing a list of types of waste. Commission Implementing Regulation 2016/1245 of 28 July 2016 setting out a preliminary correlation table between codes of the Combined Nomenclature provided for in Council Regulation (EEC) No 2658/87 and entries of waste listed in Annexes III, IV and V to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste.
[41] In Spain: Royal Decree 110/2015 of 25 February on Waste Electric and Electronic Equipment.
In Portugal: Decree-Law n. 152-D/2017 of 11 December on Waste Electric and Electronic Equipment.
[42] Article 5 of the WF Directive: By-products 1. A substance or object, resulting from a production process, the primary aim of which is not the production of that item, may be regarded as not being waste referred to in point (1) of Article 3 but as being a by-product only if the following conditions are met:
(a) further use of the substance or object is certain;
(b) the substance or object can be used directly without any further processing other than normal industrial practice;

It is not unlikely that some evolution could and should happen regarding IT- WEEE in very good condition and destinated for reuse. The main argument for this proposed evolution is **similarity**.

> A functioning laptop, suited for reuse after mere superficial cleansing and erasing of memory data, is as dangerous for the environment as a similar brand-new computer, prepared to be placed on the market for the first time and sold in some department store.

If the dangerous substances are contained inside the laptop both in the new and in the discarded one, are there real environmental differences between them?

The price being positive or negative is not relevant. The fact that the substance or object has a high market price is not relevant for the classification of a product or substance as ***waste***, as repeated by the European Court of Justice, since the Zanetti case on metal scrap[43].

The major difference is the risk associated with transport. When an electric and electronic equipment is not duly packed — as is usually the case of discarded IT equipment — an accident can cause it to break and leak. It is true that in Spain there used to be a preference for the use of "cages" for storing[44] but the Royal Decree of 2015 already imposes an obligation of adequate collection[45].

If a legal amendment would impose, as strictly mandatory, the use of safe individual packaging for IT waste destinated for reuse, it would not be an absurd to treat the IT WEEE as not dangerous, just like the transport of new computers is not a transport of dangerous products.

The dangerous substances contained in the equipment will only spill in case of a road accident or similar hazard. And accidents can happen to packed computers whether they are new or waste for recovery.

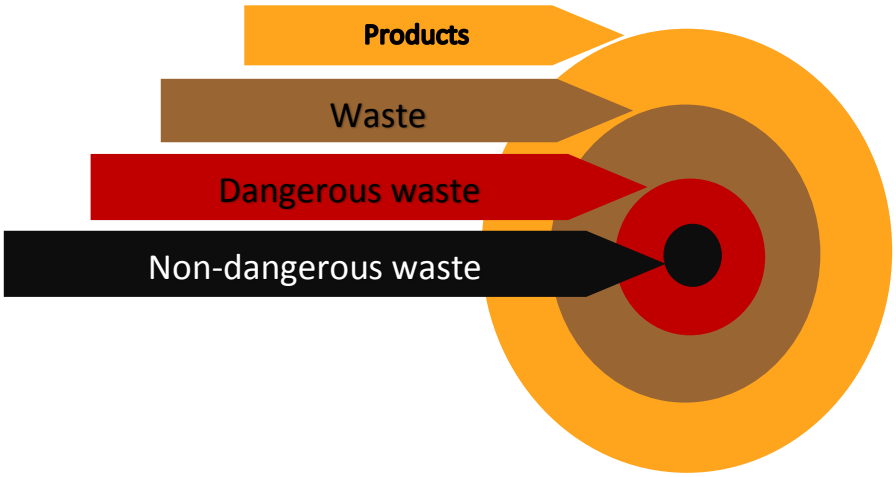
(c) the substance or object is produced as an integral part of a production process; and
(d) further use is lawful, i.e. the substance or object fulfils all relevant product, environmental and health protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts.

[43] Judgment of the Court of 28 March 1990. Vessoso and G. Zanetti, C-206/88 and C-207/88.

[44] Articles annex VII on "Requirements for the collection and transport of WEEE"

[45] Annex XII of the Real Decreto 110/2015, of 20 February on collection conditions: "the collection of this waste will be done in a way that avoids the risk of breakage of the screen or monitor. In order to minimize this risk, cages will be used preferably, and it will not be allowed to deposit in large containers that cause the stacking of these WEEE, thus increasing their chances of breaking them".

To conclude, the specific type of IT WEEE in good condition[46], predestined for reuse dependent on minor interior and exterior cleansing or even minimal interventions for repairing, is still waste. It is not a by-product. **But it should not be treated as dangerous waste.**



With this solution, the risk of illegal waste traffic in violation of the Basel convention is prevented because the IT equipment intended for recovery is still waste. But not dangerous.

3. Proposed solutions

The easiest and fastest solution would be interpreting current EU norms to avoid the classification of dangerous waste in the above-mentioned conditions and applying the classification of "others" under the type of IT-WEEE. This would require the emission of a communication by the national competent authorities interpreting the existing list of dangerous WEEE and changing administrative practices in conformity. Yet, this is a *second-best* solution which can raise doubts and lead to divergent administrative practices and disparities in the application of norms.

Considering that existing norms are not fit for purpose, for reasons of legal certainty as well as to safeguard the necessary predictability by the economic operators the best solution would be redrafting EU legislation to accommodate a new category of waste that can be classified as non-dangerous under certain conditions, namely:

[46] On the tests to be performed to assess the actual functioning of the WEEE see Impel, *Inspection Guideline on Annex VI of the WEEE Directive, Report number: 2018/06/2*, Brussels https://www.impel.eu/wp-content/uploads/2016/12/WASTE-WEEE-report-guideline-Annex-VI-def-1.pdf.

- Certified good functioning of the product,
- Little extent of repair or cleaning necessary for reuse
- Careful conditioning for transport

This legal amendment is in accordance with the preamble of the WFD[47] and with article 8 n.4 §2 of the WEEE Directive containing a mandate for the European Commission[48].

The legal amendment at the EU level[49] would consist in adding a new article addressing the conditions for treating some IT waste as not dangerous. This norm should be included either in the WEEE Directive or in the WFD or both and in the 2014 Decision establishing a list of waste types.

6.4. Obstacle 4. Separate contracting procedures for each Member State

Again, as for waste management, the legislative framework for public procurement is harmonized at the European level.

The main normative instruments being the Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement[50], the Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market of 12 December 2006 on services in the internal market[51] and Commission Decision 2011/130/EU

[47] §24 of the preamble: "On the basis of the definition of waste, in order to promote certainty and consistency, the Commission may adopt guidelines to specify in certain cases when substances or objects become waste. Such guidelines may be developed inter alia for electrical and electronic equipment and vehicles"

[48] "The Commission shall evaluate, as a matter of priority, whether the entries regarding printed circuit boards for mobile phones and liquid crystal displays need to be amended. The Commission is invited to evaluate whether amendments to Annex VII are necessary to address nanomaterials contained in EEE.".

[49] On the review of the scope of the WEEE Directive see the *Report from the Commission to the European Parliament and the Council on the review of the scope of Directive 2012/19/EU on waste electrical and electronic equipment (the new WEEE Directive) and on the re-examination of the deadlines for reaching the collection targets referred to in Article 7(1) of the new WEEE Directive and on the possibility of setting individual collection targets for one or more categories of electrical and electronic equipment in Annex III to the Directive*, Brussels, 18.4.2017 COM(2017) 171 final http://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/com/2017/0171/COM_COM(2017)0171_EN.pdf .

[50] For the national transposition in Portugal and Spain, see https://eur-lex.europa.eu/legal-content/EN/NIM/?uri=CELEX:32014L0024&qid=1567008950080.

[51] For the national implementing measures in Portugal and Spain see https://eur-lex.europa.eu/legal-content/EN/NIM/?uri=celex:32006L0123.

of 25 February 2011 establishing minimum requirements for the cross-border processing of documents signed electronically by competent authorities.

This should have allowed for joint award contracting, which apparently seemed to be a good solution. Yet, in practice both participants decided to trigger two independent procedures.

The mere existence of the European Directives harmonizing procurement should have facilitated the joint contracting. Even more specifically, there are rules on cross-border contracting that not only allow but are keen on the possibility of joint awarding between Member States.

These rules are contained in article 39 of the Directive 2014/24/EU on "procurement involving contracting authorities from different Member States". According to this norm, "several contracting authorities from different Member States may jointly award a public contract, conclude a framework agreement or operate a dynamic purchasing system. They may also, to the extent set out in the second subparagraph of Article 33(2), award contracts based on the framework agreement or on the dynamic purchasing system (n.4).

In Portuguese law, the corresponding article is 39 n.7 of Decree Law 18/2008 of 29 January[52]

In Spanish law, the corresponding article is 31 n.2 of Ley 9/2017, de 8 de noviembre, de Contratos del Sector Público.

Nevertheless, this possibility was not chosen by the partners which again demonstrates that normative harmonization was not sufficient to stimulate the convergence of the contracting parties in two Member States involved in the execution of a common project such as estraee

4. Proposed solutions

Apparently, more information and training are required namely through bilingual legal support centres to facilitate the simultaneous fulfilment of legal procurement obligations in both countries.

The lawyers supporting the contracting entities in Portugal and Spain should be trained to carry out joint contracting procedures. In practice this means that they have first of all, language skills to communicate, but also full understanding of the legal requirements in each Member State, that, in articulation with the national teams of the contracting entities, they are capable of defining harmonized contract specifications (without discrepancies in the construction

[52] Amended eleven times, the last one in 2019, by Decree-law 170/2019 of 4 december.

techniques needed for the implementation of the WEEE reception centres in each country) and are able to use the contracting procedures in force in both Member States. For instance, the electronic platform used in Portugal (www.base.gov.pt) could be used to award the simultaneous construction of the reception centres in Portugal and Spain.

6.5. Obstacle 5. Different technical requirements for collection centres

According to Article 27 of the WFD the adoption of minimal standards should be implemented whenever it brings benefit in terms of the protection of human health and the environment[53]. Going even further, in the case of estraee project, regardless of the fact that the point of departure was different ("cages" in Spain *versus* "boxes" in Portugal), the standardization of collection centres could have been an option, provided that there were environmental advantages. In border regions, the possibility that the collected equipment is treated in an installation across the border is higher. In these cases, there can be important environmental advantages of having harmonized standards. The fact that the collection centres have similar design and functioning rules facilitates the respect for good handling practices by staff or

[53] Article 27 Minimum standards
1. Technical minimum standards for treatment activities which require a permit pursuant to Article 23 may be adopted where there is evidence that a benefit in terms of the protection of human health and the environment would be gained from such minimum standards. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 39(2).
2. Such minimum standards shall cover only those waste treatment activities that are not covered by Directive 96/61/EC or are not appropriate for coverage by that Directive.
3. Such minimum standards shall:
(a) be directed to the main environmental impacts of the waste treatment activity;
(b) ensure that the waste is treated in accordance with Article 13;
(c) take into account best available techniques; and
(d) as appropriate, include elements regarding the quality of treatment and the process requirements.
4. Minimum standards for activities that require registration pursuant to points (a) and (b) of Article 26 shall be adopted where there is evidence that a benefit in terms of the protection of human health and the environment or in avoiding disruption to the internal market would be gained from such minimum standards, including elements regarding the technical qualification of collectors, transporters, dealers or brokers.
Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 39(2).

technical personnel. Careful handling is crucial in the case of WEEE management destinated for reuse. Standardized systems could ensure the attainment of higher reuse rates.

The natural inertia and aversion to change may explain why each Member State would not easily give up his traditional and well-known waste reception system and the preference for a mere upgrade, rather than a whole new system.

5. Proposed solutions

It is suggested that in cross border projects supported by Interreg or similar funds, incentives are used to promote the standardization of the technical options for collection centres.

6.6. Obstacle 6. Low investment in preparation for reuse

The Waste Framework Directive allows for exemptions from permit requirements.

> Article 24 Exemptions from permit requirements
>
> Member States may exempt from the requirement laid down in Article 23(1) establishments or undertakings for the following operations:
>
> (a) disposal of their own non-hazardous waste at the place of
>
> production; or
>
> (b) recovery of waste.
>
> Article 25
>
> Conditions for exemptions
>
> 1. Where a Member State wishes to allow exemptions, as provided for in Article 24, it shall lay down, in respect of each type of activity, general rules specifying the types and quantities of waste that may be covered by an exemption, and the method of treatment to be used.
>
> Those rules shall be designed to ensure that waste is treated in accordance with Article 13. In the case of disposal operations referred to in point (a) of Article 24 those rules should consider best available techniques.
>
> 2. In addition to the general rules provided for in paragraph 1, Member States shall lay down specific conditions for exemptions relating to hazardous waste, including types of activity, as well as any other necessary requirement for carrying out different forms of recovery and, where relevant, the limit values for the content of hazardous substances in the waste as well as the emission limit values.

> 3. Member States shall inform the Commission of the general rules laid down pursuant to paragraphs 1 and 2.

The Portuguese law restricts the exception to activities carried out by the organizations responsible for collective WEEE systems provided that the preparation for reuse is performed exclusively for social and humanitarian purposes, which is interpreted as preparing for donation.

> Article 62 n. 4 - In preparation activities for reuse for social or humanitarian purposes carried out exclusively under contracts with the bodies responsible for the collective WEEE management systems, the licensing provided for in paragraph 1 of the preceding article may be replaced by a guarantee of compliance with the mandatory requirements for preparation for reuse defined in accordance with paragraph 3 of that article, provided that this is previously communicated to APA, IP, upon presentation by the management entity of the respective contract and the guarantee of compliance[54].

Despite the fact that supporting social and humanitarian causes is a highly commendable public purpose, the environmental objectives of preventing waste, saving resources and promoting the circular economy while preventing any environmental harm should be preeminent in the legal regime applicable. Applying the best available technologies requires investment in equipping the waste recovery installations and in providing training to skilled workers, who have a knowledge background and experience necessary to perform operations with a high degree of technicality.

Allowing the replacement of an environmental permit with a formal communication accompanied by a guarantee of compliance should not depend on whether the recovered EEE will be donated or sold. On the contrary it should on environmental criteria related with the recovery operations: the risk of pollution and negative environmental impacts of the activity of preparation for reuse on one hand, the positive global impacts and resource savings of higher reuse targets[55].

Besides, the recovered EEE will always be sold at lower prices which means that there will be social advantages as the cheaper EEE products are placed on the market granting access to lower income families. And the humanitarian dimension of the activity can still be maintained when donation is the best option considering the condition of the equipment (if it is functioning but has external scratches, for instance).

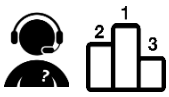
[54] Decree-law 152-D/2017 of 11 December on waste flows.

[55] On separate targets for WEEE to be prepared for re-use see the *Report from the Commission to the European Parliament and the Council on the re-examination of the WEEE recovery targets, on the possible setting of separate targets for WEEE to be prepared for re-use and on the re-examination of the method for the calculation of the recovery targets set out in Article 11(6) of Directive 2012/19/EU on WEEE*, Brussels, 18.4.2017 COM(2017) 173 final https://ec.europa.eu/transparency/regdoc/rep/1/2017/EN/COM-2017-173-F1-EN-MAIN-PART-1.PDF.

6. Proposed solutions

Amend the Portuguese law to extend the existing legal exception and allow the inclusion both of sale and donation of equipment by the entities responsible for collective waste management systems.

7. Synthesis: diagnostic, proposed solutions, entities involved

Overview of obstacles and proposed solutions			
1	**Obstacle 1**: NIMA for professional WEEE producers		
	Diagnostic	Solution	Entities
	Misperception of legal requirements revertia		①National or regional administrative authorities competent for supervising WEEE ② WEEE management entities (public or private) that prepare WEEE for reuse
2	**Obstacle 2**: Long storage of WEEE by the producer		
	Diagnostic	Solution	Entities
	Legal ineffectiveness revertia lipor		①National or regional administrative authorities competent for supervising WEEE ② WEEE management entities (public or private) that prepare WEEE for reuse ③ Supervising and police authorities
3	**Obstacle 3**: "Over-classification" of WEEE as dangerous waste		
	Diagnostic	Solution	Entities
	Inadequacy of the law revertia		④ National or regional legislative authorities competent for producing waste legislation ⑤ European Parliament, Council (WFD, WEEED) ⑥ European Commission (Decision on list)
4	**Obstacle 4**: Separate contracting procedures for each Member State		
	Diagnostic	Solution	Entities
	Practical insufficiency and infectivity of law ICenergylab lipor		① National or regional administrative authorities competent for supervising WEEE
5	**Obstacle 5**: Different technical requirements for separate collection centres		
	Diagnostic	Solution	Entities
	Normative insufficiency		⑤ European Parliament and Council (amend structural funding rules)

			⑥ European Commission
6	**Obstacle 6**: Low investment in preparation for reuse		
	Diagnostic	Solution	Entities
	Inadequacy of the law		⑦ National government

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9. Annexes

Annex I

MINISTERIO DE AGRICULTURA,
ALIMENTACIÓN Y MEDIO AMBIENTE

SECRETARIA DE ESTADO DE
MEDIO AMBIENTE

DIRECCION GENERAL DE CALIDAD
Y EVALUACION AMBIENTAL Y MEDIO
NATURAL

NOTA INFORMATIVA RELATIVA AL NÚMERO DE IDENTIFICACIÓN MEDIOAMBIENTAL (NIMA)

El número de identificación medioambiental (NIMA) es un código asignado por la Comunidad Autónoma para identificar a los centros /instalaciones de producción y de gestión de residuos registrados conforme establece la Ley 22/2011 de 28 de julio de residuos y suelos contaminados. Algunas Comunidades Autónomas asignan también NIMAS a gestores.

El NIMA es necesario indicarlo en los documentos utilizados para la tramitación de los procedimientos relativos a la gestión de residuos, tales como el procedimiento de traslados o la memoria anual de gestores.

El código NIMA esta constituido por diez dígitos correspondiendo los dos primeros al código INE de la provincia y los ocho restantes son números asignados por la Comunidad Autónoma.

Este número se asigna en función de tres factores:

- Titular de la autorización de la instalación o centro. Identificado mediante su NIF.
- Emplazamiento de la instalación o centro. Identificado mediante sus coordenadas UTM)
- Actividad principal del centro. Identificada mediante su CNAE.

Solo en el caso de varíe uno o más de estos factores la instalación o centro cambiará su NIMA

Annex II

DOCUMENTO DE IDENTIFICACIÓN

(Artículo 6 y Anexo I del RD 180/2015, BOE 07/04/2015)

Firma responsable envío

Nº DI:
Nº NT:
Fecha inicio traslado:

OPERADOR DE TRASLADO

Razón social: CIF/NIF:
Nombre del centro: CP:
Dirección: Provincia:
Teléfono/FAX: Correo-e: Contacto:
Tipo de Operador: P02 NIMA:
Nº inscripción Registro de PyGR:

ORIGEN DEL TRASLADO

Centro productor o poseedor de residuos o de la instalación origen del traslado

Razón social: CIF/NIF:
Nombre del centro: CP:
Dirección: Provincia: Madrid
Teléfono/FAX: Correo-e: Contacto:
Nº inscripción Registro de PyGR: No disponible NIMA:
Código CNAE:

Empresa autorizada para realizar las operaciones de tratamiento de residuos

Razón social: CIF/NIF:
Nombre del centro: CP:
Dirección: Provincia:
Teléfono/FAX: Correo-e: Contacto:
Nº inscripción Registro de PyGR: NIMA:

DESTINO DEL TRASLADO

Instalación de destino

Razón social: REVERTIA REUSING AND RECYCLING, S.L. CIF/NIF: B27736768
Nombre del centro: REVERTIA Madrid CP: 28840
Dirección: Calle C/ DUERO, 17, Mejorada del Campo Provincia: Madrid
Teléfono/FAX: 986 060 766 Correo-e: info@revertia.com Contacto:
Nº inscripción Registro de PyGR: AAI/MD/G18/16182 NIMA: 2800088820

Empresa autorizada a realizar el tratamiento del residuo

Razón social: REVERTIA REUSING AND RECYCLING, S.L. CIF/NIF: B27736768
Nombre del centro: REVERTIA Madrid CP: 28840
Dirección: Calle C/ DUERO, 17, Mejorada del Campo Provincia: Madrid
Teléfono/FAX: 986 060 766 Correo-e: info@revertia.com Contacto:
Nº inscripción Registro de PyGR: AAI/MD/G18/16182 NIMA: 2800088820

CARACTERÍSTICAS DEL RESIDUO QUE SE TRASLADA

Código LER: 200135-61* - Aparatos de informática y telecomunicaciones pequeños con componentes peligrosos
Descripción: 990610001 - Equipos de informática y telecomunicaciones
Características de peligrosidad: HP14, HP6 Tratamiento: R12 Cantidad:

TRANSPORTISTA

Razón social: CIF/NIF:
Nombre del centro: CP:
Dirección: Provincia:
Teléfono/FAX: Correo-e: NIMA:
Contacto: Vehículo:
Nº inscripción Registro de PyGR:

SRAP (SISTEMA DE RESPONSABILIDAD AMPLIADA DEL PRODUCTOR)

Razón social: CIF/NIF:
Nombre del centro: CP:
Dirección: Provincia:
Teléfono/FAX: Correo-e: Contacto:
Nº inscripción Registro de PyGR: NIMA:

DATOS DE ACEPTACIÓN O RECHAZO

Fecha de entrega de residuos: Cantidad:
Aceptación o rechazo de residuos: Fecha:

OTRAS INFORMACIONES

Observaciones:

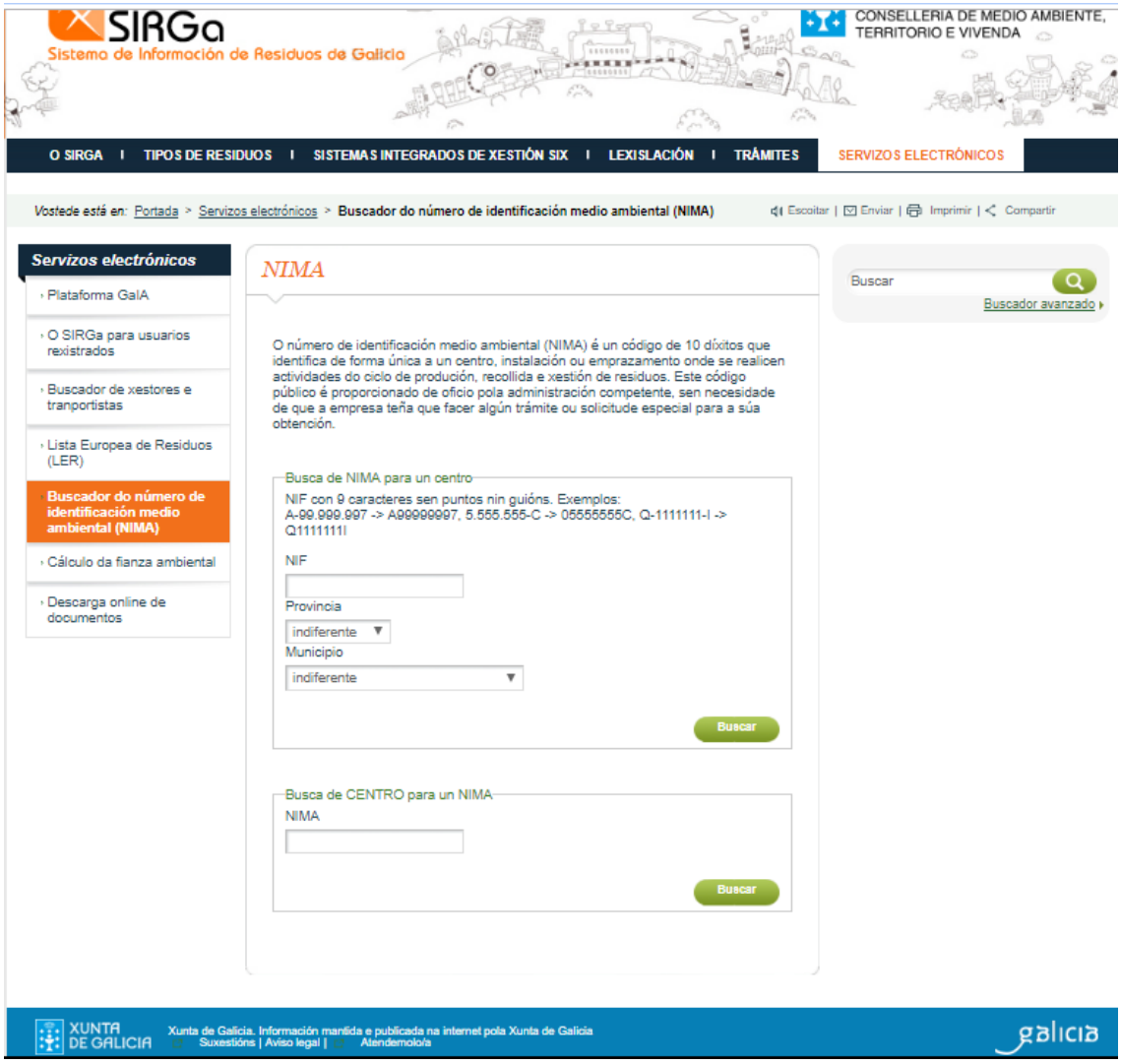
¿Se opta por que sea la autoridad competente de la comunidad autónoma ante la que se presenta el documento de identificación la que remita dicho documento, a la autoridad competente de la comunidad autónoma de origen del traslado? SI

Firma responsable destino:

Annex III

https://sirga.xunta.gal/nima

“The Environmental Identification Number (NIMA) is a 10-digit code that uniquely identifies a facility, facility, or location where waste production, collection, and management cycle activities take place. This public code is provided ex officio by the competent administration, without the need for the company to make any formalities or special request to obtain it”.



Annex IV

Table 1 of Annex VIII of Royal Decree 110/2015 of 25 February on WEEE.

Table 1. Equivalence between categories of EEE, fractions (FR) of WEEE collection and LoW-WEEE codes

EEE categories from Annex I	EEE categories from Annex III	FR	WEEE treatment groups	Source	Main LoW-WEEE codes
1. Large appliances 1.1. Refrigerators, freezers and other refrigeration equipment. 1.2. Air-conditioning 1.3. Radiators and oil thermal emitters 10.1. Automatic dispensers with cooling gases	1. Temperature exchange equipment 1.1. Temperature exchange equipment with CFC, HCFC, HC, NH_3 1.2. Electrical air conditioning equipment 1.3. Electrical equipment with oil in circuits or capacitors	1	11*. Equipment with CFC, HCFC, HC, NH_3	Household	200123*-11*
				Professional	160211*-11*
			12*. Air conditioner appliances	Household	200123*-12*
				Professional	160211*-12*
			13*. Electrical equipment with oil in circuits or capacitors.	Household	200135*-13*
				Professional	160213*-13*
4. Consumer electronic equipment and photovoltaic panels 4.1. Televisions, monitors and screens	2. Monitors and LED screens 2.1. Monitors and LED screens 2.2. Other monitors and screens	2	21*. CRT monitors and screens.	Household	200135*-21*
				Professional	160213*-21*
			22*. Monitors and screens: Non CRT, non LED	Household	200135*-22*
				Professional	160213*-22*
			23. LED monitors and screens	Household	200136-23
				Professional	160214-23
5. Lighting equipment (except domestic luminaires) 5.1. Gas discharge lamps 5.2. LED lamps	3. Lamps 3.1. Discharge lamps (Hg) and fluorescent lamps 3.2. LED lamps	3	31*. Discharge lamps, non LED and fluorescent.	Household	200121*-31*
				Professional	200121*-31*
			32. LED lamps	Household	200136-32
				Professional	160214-32
1.4. Other large household appliances 3. IT and telecommunications equipment 4.4. Other consumer electronic equipment 5.3. Professional luminaires 5.4. Other lighting equipment 6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools) 7 Toys, leisure and sports equipment 8. Medical devices (with the exception of all implanted and infected products) 9. Monitoring and control instruments 10.2 Other automatic dispensers	4. Large equipment (any external dimension more than 50 cm)	4	41*. Large equipment with hazardous components	Household	200135*-41*
				Professional	160213*-41* 160210*-41* 160212*-41*
			42. Large equipment (Other)	Household	200136-42
				Professional	160214-42
2. Small appliances 4.4 Other consumer electronic equipment 5.4. Other lighting equipment 6. Electrical and electronic tools 7. Toys, leisure and sports equipment 8. Medical devices (with the exception of all implanted and infected products) 9. Monitoring and control instruments	5. Small equipment (no external dimension more than 50 cm).		51*. Small equipment with hazardous components and built-in batteries	Household	200135*-51*
				Professional	160212*-51* 160213*-51*
				Household	200136-52
			52. Small equipment (Other)	Professional	160214-52
3. Small IT and telecommunications equipment	6. Small IT and telecommunication equipment	6	61*. Small information technology and telecommunication equipment with hazardous components	Household	200135*-61*
4.2. Photovoltaic silicon panels (Si) 4.3. Photovoltaic cadmium telluriun panels (CdTe)	7. Large photovoltaic panels (with an external dimension greater than 50 cm).	7	71. Photovoltaic panels (e.g.: Si)	Professional	160214-71
			72*. Hazardous photovoltaic panels (e.g. CdTe)	Professional	160213*-72*