

AIWOLG
Agencies' and Industry WEEE Operational Liaison Group
9th March 2010
Hosted by SWEEEP
Sittingbourne, Kent

Attendees

Industry: B Griffiths, J Greenaway, S Hill, S Butler, P Morton, S Chapman, D Hulse, H Rogers.

EA: S Stocks, C Grove, C Chambers, R Scarpello

SEPA: N Chalamanda

1. Introductions

2. Review of Membership and Terms of Reference

Action: Updated version of the terms of reference to include comments from the group to be produced for sign off at the next meeting. **Sue Stocks**

Action: Agree timetable for the distribution of minutes from the group to allow AIWOLG reps to share and seek input from their relevant groups (WAB, ICER, WEEECF etc)

Sue Stocks

Action: Agencies to consider AATF re-use representative

Sue Stocks

3. Q4 Metrics and Regulators Activity

EA Activity:

Scheme Data:

11 resubmissions of Q4 data were received before publication – 2 more expected

B2C WEEE collected relatively static throughout 2009 with an increase on 2009 figures

AATF / AE WEEE received increased significantly in 2009 – pattern not replicated by PCS WEEE

PCS v AATF / AE WEEE

Overall PCS' have reported more WEEE collected by 1600T. This is made up of:

Cat 1 AATFs have reported 7,200T more than schemes

Cat 11 AATF have reported 4,750T less than schemes

Cat 12 AATFs have reported 1,958T less than schemes

Forward look – activity to be undertaken in the coming quarter

Process any resubmissions from schemes and AATFs

Issue preliminary obligation 1st April

Issue final obligation on 1st May based on settlement centre evidence

Monitor schemes' progress towards compliance

Identify AATFs actual evidence v returns

Producer, AATF and AE data:

2009 Producers 5211 v 5623 in 2010

2009 EA Producers 4862 v 5238 in 2010 = 146 new producers, 522 potential freeriders

AATFs 122 approved for 199 sites – 23 in progress = 145 v 143 in 2009

AEs 37 approved for 248 sites – 12 in progress = 49 v 49 in 2009

Forward look

In addition to routine quarterly desktop compliance monitoring scheme risk profiling almost complete and scheme audits to be planned.

Monitor public register drop offs

Producer and AATF / AE risk profile

SEPA activity:

1. At time of meeting SEPA had approved 28 AATFs and 7 AEs for 2010
2. All operator's sites had been visited as part of the approval process
3. Audited 4 compliance scheme for 2009 compliance period
4. SEPA audited all sites known to have either an exemption or a waste management license to store or treat WEEE, specifically to verify these activities and also follow the trail of WEEE from these sites in relation to Trans-frontier Shipment of Waste regulations and any potential illegal exports.
5. SEPA carried out a Business to Business WEEE project where business end users were surveyed on the current WEEE management practices. This established the following
 - Why some businesses prefer to pay for the business WEEE themselves than making WEEE producers financially responsible.
 - Intelligence on the types of B2B WEEE collectors or contractors used by the businesses (whether they were relevantly permitted) and
 - Ability to follow the trail and fate of WEEE once it has been picked up by the contracted companies.

NIEA WEEE Regulatory Activities 01/01/10 – 04/03/10

Activity	
AATF/AE audits/spot-checks	8
Registered Producer Visits	10
Potential producer visits	16
Warning letters to producers (part of enforcement process)	1
TFS/Haz waste enforcement Activity involving WEEE waste	1 live case

A number of issues surrounding re-use were discussed. It was asked how much WEEE is legitimately leaving the country for re-use. Chris Grove clarified that AE can only issue evidence for whole WEEE shipped overseas for re-use. Evidence can't be claimed on WEEE exported for treatment.

Action: EA to get in touch with Justin Greenaway to clarify his concerns, see what data is available, collate and feedback to next AIWOLG meeting. **Rob Scarpello**

Action: Investigate the possibility of running workshops for re-use groups with the involvement of the local authority network. In particular more guidance needed for re-use charities exporting overseas. **Chris Grove**

A number of discrepancies between WEEE reported by schemes Vs WEEE reported by AATFs / AEs remain. Particularly in Categories 1, 11 and 12. Comments were sought from the group on potential explanations.

- Simon Hill is currently involved in mapping flow of WEEE amongst AATFs. This may highlight where misreporting is taking place.
- Estimates based on counting may be causing some of these discrepancies since material is only properly weighed when it first reaches an AATF.
- AATFs don't tend to resubmit their quarterly returns if they reconcile and find that things weren't recorded correctly.

Action: Investigate whether DEFRA protocols are being correctly applied by AATFs for large domestic appliances and small domestic appliances. **Carly Chambers**

Action: Look into schemes that have links to AATFs / AEs (i.e. part of the same business) to investigate whether miscategorisation etc has taken place.

Carly Chambers

Action: Investigate whether there is scope for standardising methodologies used for estimating weights prior to sending to AATFs and AEs in order to minimise discrepancies.

Chris Grove

Action: Review comms to AATFs / AEs on the correct process for recording WEEE returns and resubmitting data **Chris Grove**

- Option to reduce data turnaround times was put forward by Carly Chambers. However, industry representatives were happy with us publishing data to current timetables to ensure that checks were undertaken to ensure that these are as accurate as possible.

4. Amendments to WEEE Regulations

- Summary given by Chris Grove on the new Reg amendments and their implications for schemes AATFs and AEs.

Action: Investigate with BIS whether the point of issue of re-use evidence is correct (currently can be issued at the point that it is re-used) **Chris Grove**

- Justin Greenaway observed that it is impossible to break down Non-obligated WEEE by category.

Action: Confirm with BIS whether this is their intention given these impracticalities – investigate whether the protocols can be extended to estimate categories. **Chris Grove**

- IAR submission date has been brought forward by the new regs. This has a number of implications since AATFs / AEs won't have a full dataset to be audited.

Action: Share these concerns with BIS. Investigate whether the IAR has to be done at the end of the year or whether it can be done for a part year to overcome some of the concerns. Clarify whether the scope of the audit is to assess systems in place or the actual data. **Chris Grove**

- Lack of clarity from the group on what IT system enhancements to settlement centre are proposed by BIS.

Action: to seek clarity on current plans and share with group to allow feedback prior to the next AIWOLG meeting. Ensure industry consultation via AIWOLG on any future plans. **Chris Grove**

5. Technical Issues

- Concerns were raised that problems reported about the WEEE IT system had not been met with satisfactory responses.

Action: Any IT issues to be fed through to the Agency via Carly Chambers **All**

Action: IT issues raised historically to be resent to Carly Chambers

David Hulse and Phil Morton

- Multiple concerns were raised about the enforcement of the DCF CoP. In particular the issue of contamination at DCFs was raised.

Action: Ensure that Peter Calliafas is informed about the level of concern from the whole group on this issue. **Sue Stocks**

- New scope guidance has been issued and is available at http://www.environment-agency.gov.uk/static/documents/Business/EEE_Scope_Guidance_V3_0_March_2010_-_Final.pdf

Action: Comments on scope guidance to be sent through to howard.thorp@environment-agency.gov.uk **All**

Action: Feed into the WAB review of the current protocol for SMW and possibly LDA. Investigate whether calculating the weight of batteries in WEEE can be included in this review. **Simon Hill**

Action: Clarity needed on whether fly tipped waste, waste from schools, hospitals and charities should be classified as B2B or B2C. **Chris Grove**

Action: Response required for protocols query raised by Simon Hill **Chris Grove**

Action: Potential revisions to BATRRT guidance were suggested. Investigate who owns the BATRRT guidance to allow the group to feed in any suggestions.

Chris Grove

6. Regulatory Issues

B2B compliance:

On 2nd March members of the AIWOLG and industry held a telecom to discuss B2B issues focusing on.

- a. How schemes can audit their producers regarding B2B compliance
- b. Issues surrounding B2B take back at some of the DCFs and the cross over with
- c. Leakage of B2B into the B2C stream specifically at DCFs or any other routes.
- d. Acceptance of B2C WEEE from in store retailer take back to DCFs

Outcomes of the discussion

- a) Regarding schemes auditing their businesses on B2B compliance it was recognised that there are a lot of factors that determine whether an end user brings WEEE back to producer or decides to pay for the WEEE themselves.

There need for clear and readily available guidance to all stakeholders in the chain, from scheme, producer and business end user since end users can not be forced to bring WEEE back into the system, but they need to make an informed choice before they decide what to do with their WEEE.

- b) For B2B take back, it was recognised also that due to the high value of most commercial WEEE, and the fact that not all DCFs accept WEEE nor permitted to accept commercial waste, it is easy for unlicensed operators to target and offer money for this WEEE.

Action: There is need to establish a method of checking which DCF is signed with which Scheme and also establishing whether the DCFs allow any B2B WEEE. Investigate feasibility with BIS.

Nathaniel Chalamanda

- c) On leakages the key thing is to remind AATFs, Local Authorities and Schemes on the need to separate household WEEE from B2B. It is expected that the reporting will improve relative to previous compliance periods due to the new WEEE amendments where AATFS are required to report even on amounts of non obligated WEEE of which B2B accounts to most of

- d) On matters surrounding acceptance of B2B WEEE at DCF sites, the group felt that this needed regulatory changes at a policy level and on a long term basis thus not under its remit to recommend anything at the moment

Action: Ensure list of actions from the recent B2B meeting is circulated to Terry McGuire of WAB.

Nathaniel Chalamanda

Action: Cross check to ensure that all batteries producers are registered WEEE producers.

Carly Chambers

7. Actions from previous meetings

- One remaining action:

Action: Agencies still to investigate feasibility of detailing suspension status on the public register. **Chris Grove**

8. AOB

2010 Meetings

Agreed following dates:

15th June 2010 Environment Agency, Sheffield (10:30 – 15:30)

21st September 2010 West Sussex Local authority DCF (Ford?) Hannah Rogers to confirm. (10:30 – 15:30)

1st December 2010 Environment Agency, Sheffield (10:30 – 15:30) (NB this was incorrectly advertised as taking place on 14th December in a previous set of notes)