

## AIWOLG

### Agencies' and Industry WEEE Operational Liaison Group

22 March, 2011

Held at Austin Court Birmingham, 80 Cambridge Street, Birmingham, B1 2NP

10.30 – 15.00

#### Attendees

**Industry:** P Burgon, J Greenaway, S Hill, S Chapman, P Morton, C Brailsford, C Anderson, D Hulse

**EA:** S Stocks, A Harding, C Chambers, R Scarpello, H Thorp, D Ramsey

**SEPA:** N Chalamanda

**BIS:** K Barker / R Freeman

**Apologies:** H Rogers, S Butler

#### 1. Introductions

1.1 Introduction of Craig Anderson – Furniture Reuse Network

#### 2. Metrics & Regulators Activity

2.1 UK Data – to include analysis of final end of year data

#### Schemes

Number of schemes = 36

One new scheme has been approved this year – Anovo. No schemes have dropped out of the market.

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#### Producers

Number of producers:

2010 end	Jan	Feb
5,815	5,289	5,433

Numbers appear to be increasing towards similar numbers to those registered at the end of 2010

Data on the amount of B2C EEE placed on the market by these producers will not be submitted until 30<sup>th</sup> April and information on B2B EEE is not required until Q4.

### Number of producer drop offs:

At the end of 2010, investigations had not been concluded on 70 of the 510 public register drop-offs originally identified. The combined tonnage that these companies had placed on the market in 2009 was 1,380T (1.3% of total EEE on the market).

In 2011, 475 public register drop-offs were originally identified. As a result of work undertaken by Schemes and the Agencies this number has now reduced to 104 (we are currently assessing the tonnage of EEE placed on the market by these companies in 2010 before prioritising a list to be sent to area staff for further investigation).

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### **AATFS / AEs**

#### Number of treatment sites:

2010 end	Jan	Feb
277	194	204

A major reason for reductions in numbers of sites is that companies are no longer able to submit multiple applications under one operator. We do however anticipate that the number of approved sites will continue to increase throughout the year. The EA are currently assessing 15 AATF applications.

#### Number of Exporters / overseas sites:

	2010 end	Jan	Feb
Number of Exporters	64	38	58
Number of approved overseas sites	387	271	336

Again we anticipate that the number of approved sites will continue to increase throughout the year. The EA are currently assessing 6 AE applications.

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A number of graphs were shared with the group to show some initial analysis that has been carried out on the 2010 UK data set (See appendix 1). The group discussed a number of the more unusual trends that this first analysis of the data has highlighted, provided comment on

any general trends that would warrant further investigation and suggested any further data analysis that would be useful.

#### Evidence issued on the Settlement Centre:

In total across all categories there was ~463,000T of evidence issued on the Settlement Centre in 2010. This is an increase of ~5,000T on 2009 where ~458,000T of evidence was issued.

Recycling of categories 2, 3, 4, 6, 7, 11 and 13 has increased  
Recycling of categories 1, 5, 8 10 and 12 has decreased

Large changes in Cat 5 and Cat 10 demonstrate the effectiveness of our desktop monitoring in highlighting misreporting to Schemes and taking action to ensure that these categories are no longer incorrectly reported.

#### B2C EEE data as reported by schemes:

Again some categories have increased, whilst others have reduced. Overall there was a 1% reduction on the tonnage of B2C EEE data reported in 2010 from 2009. (1,208,000T in 2010 c.f 1,220,000T in 2009)

There were notable reductions in categories 4, 6, 10, 11 and 13:

4 (consumer equipment)- it was suggested that this could be attributed to lightweighting.

6 (Tools) – It was observed that these decreases have occurred despite the fact that B2B EEE reporting has increased during this period in this category.

10 (Automatic dispensers) – shows effectiveness of our desktop monitoring in ensuring EEE data is correctly reported.

11 (display equipment) – Again these reductions were attributed to lightweighting.

13 (Gas discharge lamps) – reductions were attributed to a shift in market towards LEDs – corresponding increases were observed in Cat 5 lighting over the same period.

#### Recycling rates:

In most categories the recycling rate has increased, the only significant reduction was in Cat 12 (cooling appliances) which has reduced from 62% to 56%. It was suggested by the group that the decreases in Cat 12 evidence could be attributed to the current scrap metal prices.

2009			2010		
% of B2C EEE on market			% of B2C EEE on market		
Household EEE (tonnes)	Evidence issued	recycled in 2009	Household EEE (tonnes)	Evidence issued	recycled in 2010
171,000	107,000	63	174,000	98,000	56

Differences between Scheme, Settlement Centre and AATF data:

The data shows a vast improvement (ie the three datasets correlate much more closely) on that submitted in previous compliance periods. Any anomalies are now being investigated by the Agencies.

It was highlighted that data submitted by AATFs and AEs more closely matches the evidence posted on the Settlement Centre than that submitted by the Compliance Schemes in both the 2009 and 2010 compliance periods.

**Action:** Confirm that this data is correct and confirm the approach that will be taken by the agencies to investigate Schemes whose data doesn't match that posted on the Settlement Centre. **R Scarpello**

B2B WEEE Vs EEE:

Category	Non Household EEE 2009			2010		
	Non- Household EEE (tonnes)	Non- Household WEEE evidence (tonnes)	% Recycled	Non- Household EEE (tonnes)	Non- Household WEEE evidence (tonnes)	% Recycled
1	15,020	198	1	19,035	213	1
2	7,527	94	1	7,606	95	1
3	113,790	5,894	5	110,617	5,304	5
4	6,515	58	1	6,511	53	1
5	68,053	199	0	51,313	315	1
6	19,980	331	2	21,274	273	1
7	5,251	3	0	6,840	17	0
8	12,066	176	1	9,433	176	2
9	13,473	75	1	17,975	61	0
10	7,988	644	8	8,039	592	7
11	17,985	238	1	13,815	300	2

12	30,127	1,628	5	30,816	5,284	17
13	8,443	3,998	47	6,174	3,514	57
	<b>326,217</b>	<b>13,537</b>	<b>4</b>	<b>309,450</b>	<b>16,199</b>	<b>5</b>

Craig Anderson commented that further analysis of re-use data would be useful.

**Action:** Feed back to Rob Scarpello on any further data analysis that would be useful for discussion at future meetings. **All**

**Action:** Provide graphs to show non-obligated WEEE once data has been QAd **R Scarpello**

Concerns were raised about evidence being touted (either by AATFs / AEs approaching Schemes offering to provide evidence if the Schemes can help turn their WEEE into obligated WEEE or by schemes approaching AATFs requesting 'spare evidence') this potentially results in non-obligated WEEE entering the evidence system.

**Action:** EA to share the number of freerider hotline and explain that it can be used for people to report concerns about evidence being touted. **R Scarpello**

**Action:** Agencies to confirm at the next meeting the approach being taken for monitoring to ensure that re-use is being prioritised **H Thorp / N Chalamanda**

## 2.2 EA Activity

### AATFs / AEs

#### AATF Quarterly returns:

- 232 required
- 226 valid returns received
- 65 nil returns
- 33 returns received after the 31st Jan deadline (15%)

The EA took a pragmatic approach in issuing suspension notices to those that failed to submit in light of the changes that had been made to the reporting format. Large efforts were taken to ensure that companies that had failed to submit / failed to submit correct information were contacted to talk them through making their submissions. In total 5 suspension notices were issued for those that failed to work with the EA.

#### AE Quarterly returns:

- 51 returns required
- 43 nil returns
- 9 returns received after the 31st Jan deadline (20%)

Again, The EA took a pragmatic approach and worked with AEs to ensure that they submitted their quarterly returns correctly. No suspension notices were issued to AEs.

**Overall, less than 5% of returns were able to be uploaded without amendments of some kind.**

We are now working to investigate anomalies where there are large discrepancies between data reported by AATFs and Schemes identified by the new data reporting.

**Action:** EA to organise workshops with AATFs / AEs to discuss quarterly returns and approvals. **H Thorp**

**Action:** EA to issue Communications to AATFs and AEs to highlight that our flexibility in accepting late quarterly returns in Q4 was a result of changes in the reporting format. This approach will not be extended to future submission deadlines. **R Scarpello**

**Action:** Consider sending the template that was uploaded successfully through to AATFs/AEs so AATFs and AEs know what was wrong with their submission and it can be corrected next time. **R Scarpello**

#### 2010 Annual Return (AATFs and AEs):

- 39% of AATF annual returns and 41% of AE annual returns were received after the 31<sup>st</sup> January deadline.

Significant work has been undertaken by PRRS to QA the data submitted and work with operators to ensure that outstanding returns were submitted. Now we are satisfied that the data is correct we will work to provide reports on non-obligated data and identify whether those AATFs and AEs that have failed to issue any evidence have submitted data on non-obligated WEEE received.

**Nb the summary data will not be requested again in 2011. This was only requested this year since Q1 and Q2 data had not already been submitted in the new format.**

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## **Compliance Schemes**

### Number of data resubmissions received from schemes:

Since 31 January the EA have uploaded 217 scheme return xmls. If we consider 30 will be initial submissions of Q4 data (30) then 187 are uploads associated with resubmitted Q1 – Q4 files. Some are multiple uploads of the same files as some of the returns are of such poor

quality that we may have to amend data to get them to upload. This ties up considerable resource at the agencies.

**Action:** Agencies to consider how data resubmissions can be better managed to ensure that the amount of admin work for the Agencies is minimised. Consider targeting poorer performing Schemes. **R Scarpello / N Chalamanda**

Q3 Desktop monitoring:

29 WEEE schemes were assessed and contacted directly by their account managers to discuss findings and agree any necessary actions. A major focus of the Q3 desktop monitoring was viable plans since it is often only after the Q3 data is received that any divergence from planned obligation or collections becomes apparent.

Other issues identified by the desktop monitoring and currently being resolved include:

- Anomalies with EEE and WEEE data
- Evidence notes accepted for out-of-scope WEEE
- Failure to report Reg32/40A WEEE collections

The quarterly telephone calls to all Schemes to discuss desktop monitoring also provide a good opportunity to discuss and check understanding of any new guidance issued, upcoming deadlines etc and seek feedback from the Schemes on any current concerns. This quarter a focus was placed on checking understanding of new deadlines for getting evidence issued and accepted, especially for B2B WEEE.

Viable plans:

End of year assessment of over and undercollections is ongoing.

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**Freeriders / Drop Offs**

Drop offs:

Lists of drops offs for each scheme were e-mailed to Schemes on 11th February asking them to provide reasons for why companies had not re-registered. Schemes were asked to provide a response by the 25th February.

On the 4th March 142 letters were sent to companies where there was not an adequate reason provided by the scheme. They were given 14days to respond to this letter (18th March). A further 23 letters were sent to companies in administration on the 7th March informing them that they may still be subject to the WEEE regulations and a response was required within 14days - 21st March.

54 responses have been received to date.

Feedback will now be collated and any companies who have not responded to the letters, or have not provided an adequate reason for not re-registering will be passed to area for investigation as freeriders at the end of March.

We will then evaluate the tonnage EEE that these companies placed on the market in 2010.

#### Freerider work:

In 2010, 391 companies were sent to area staff for investigation (of the 391 companies 141 companies were reported via the freerider hotline, 250 were identified by PRRS). 141 of these companies have now been accounted for – investigations are ongoing with 250 companies.

In 2011 an additional 92 potential freeriders have been sent through to our area staff for investigation. Progress will be reported back to PRRS by mid April.

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### 2.3 SEPA Activity

Most of SEPA's work in the later part of 2010 and early 2011 concentrated on PCS monitoring with a special focus on

- Review of producers registered for 2010 vs 2011 registration to identify and follow up producers who had “fallen off” the register
- Notification of indicative obligations and
- Resubmissions of scheme's revised WEEE and EEEE data

Review of AATFs and AEs who had issued evidence for 2010 especially comparing data from Waste Data returns under WML vs WEEE returns and then against evidence reported on Settlement Centre.

Completed the approval visits to all operators who applied for approval for 2011 compliance period. Out of a total of 36 operators 9 are AEs, 7 are both AATF and AEs and the rest (20) are AATFs.

Review of links between AATFs and PCSs according to AATF vs PCS operational plans and then against evidence that AATFs have issued to PCSs.

The Unit has carried out disruptive visits to sites known to export WEEE especially where intelligence indicated a container was being loaded. Aim was to ensure that the WEEE was fit for export, otherwise the container would be detained to allow appropriate enforcement actions.

Unit plans to audit 10% of registered producers in Scotland for 2011-2012 with a higher focus on B2B obligations.

## 2.4 NIEA Activity

### AATF/AE

2 full audits have been carried out to AATFs and AEs.

1 warning letter has been issued to an AATF and one advisory letter has been issued to another AATF.

Our focus continues to be the documentation to support meeting recycling efficiency targets and to ensure AATFs and AEs are aware their responsibility to inform NIEA of operational changes and to have adequate supporting documentation available at audit.

3 spot checks have been carried out.

Currently a total of 10 AATF and 3 AE have been approved. Two of those have been approved in January to March 2011. We have one outstanding AATF application for consideration for 2011 approval. However this cannot be fully processed as we are awaiting a change to their waste management licence.

### Producers

Desk based compliance monitoring has been carried out on 53 possible producers.

A total of 8 possible free riding producers have been visited in the period. These are now being followed up to determine whether they are 'non-obligated' or should join a compliance scheme.

6 registered producers have been visited in the period.

## **3. Technical Issues**

### 3.1 Update on recycling efficiencies and ICER input

Howard Thorp updated the group on the discussions that had been held at the most recent ICER meeting. At the meeting a subgroup of AATFs and AEs had been tasked to put forward some proposals for how they will satisfy their requirement to demonstrate that recycling efficiencies are being met. Howard expressed concerns that a timeframe for completing this work must be set to avoid slippage and ensure that guidance can be updated

**Action:** Agree a reasonable timetable for completing this work and Let ICER know.

**D Hulse / H Thorp**

### 3.2 Implications of changes in the definition of waste – update

The timetable for implementation of the proposed changes in the definition of waste has not yet been set by government since details are being finalised on how certification can be issued to confirm material is no longer waste. The changes have a number of potential implications for exporters and AATFs – an AATF won't necessarily need to export by an AE if they can prove its no longer waste. It is proposed that changes will only come in at the beginning of a compliance period.

**Action:** Ensure that the status and implications of changes in the definition of waste are made clear in new guidance on exporter applications. **H Thorp**

### 3.3 Non obligated WEEE, update on analysis and publication of data (S Hill / J Greenaway)

Justin asked whether the EA intended to publish these data nationally. The EA advised that the first step will be to share with BIS then if they are comfortable this will be added to our data SLA.

### 3.4 Potential changes to settlement centre functionality

A number of suggestions were made by the group on potential low cost enhancements that could be made to the Settlement Centre functionality. The Agencies confirmed that they too could identify a number of useful enhancements that could be made.

**Action:** Discuss with BIS whether there is any scope for enhancements to be made. Put forward the suggestion of a small user group. **S Hill**

## 4. Regulatory Issues

### 4.1 CRT/TV/Monitor BATRRT guidance (J Greenaway)

Justin queried who is responsible for auditing the correct application of BATRRT at treatment sites and raised concerns that those auditing BATRRT compliance are not always familiar with similar reprocessing sites. It was explained that this aspect of permit compliance is audited by the local EA officer who enforces the permit conditions, this is not always the same officer responsible for assessing compliance with conditions of AATF approval. Concerns were raised that this approach could lead to inconsistencies in standards of treatment across similar sites. Concerns were also raised with the extent to which BATRRT currently aims to prioritise re-use.

**Action:** EA to consider how we can evidence the extent of this problem. **R Scarpello**

**Action:** EA to clarify to area staff the correct approach for mercury backlight removal.

H Thorp

**Action:** EA to provide an update at the next meeting on the approach taken to regulate BATRRT and progress on sector specific guidance for CRTs / TVs.

C Grove

**Action:** EA to confirm at the next meeting what the PAS141 guidance will include and when it will be released.

C Grove

## 5. Review of actions from previous meeting

Actions carried forward:

**Action:** Confirm when a record of the AATF AIWOLG telecon held prior to Christmas is posted on the EA website.

R Scarpello

**Action:** Send email to AATFs (and copy to Schemes) to confirm how AATFs / AEs should report when they don't know which Scheme the data should be aligned to.

R Scarpello

**Action:** Report at next AIWOLG meeting on analysis of non-obligated WEEE data. Have all AATFs and AEs that have submitted nil returns submitted their non-obligated WEEE data correctly?

R Scarpello

**Action:** Ensure there are links on the web pages to link the AIPOLG, AIBOLG and AIWOLG notes.

R Scarpello

**Action:** Provide feedback on concerns shared by Hannah Rogers on how laptops are categorised in the guidance / DCF code of practice.

H Thorp

## 6. AOB

### 6.1 Update on GC020 timeline for implementation:

David Bradley is leading on work for the EA on the interpretation of the export controls for whole (or minimally treated) WEEE. Our view is that this does not fall within the category GC020, so cannot be moved under Green List controls. This view has been ratified by the Innovations Panel. We are aware that some current exports/imports have assumed that this code can be used and we are prepared to allow a transition period (at least for imports) to allow these operations to be changed in an orderly way. Discussions are continuing as to how long this transition period should be and will be communicated as soon as possible.

### 6.2 Restructuring within the Environment Agency:

Adrian Harding explained the recent changes that have taken place in the EA's 'Evidence and Business' (E&B) directorate. The changes mean that as of 1<sup>st</sup> April Adrian Harding will move on to a new role within E&B managing external customer relations and Bob Mead will be

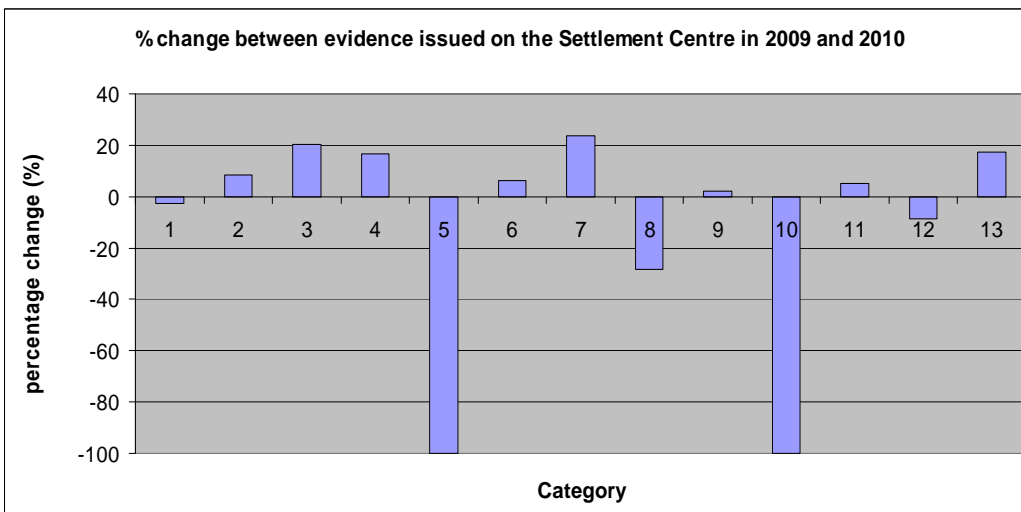
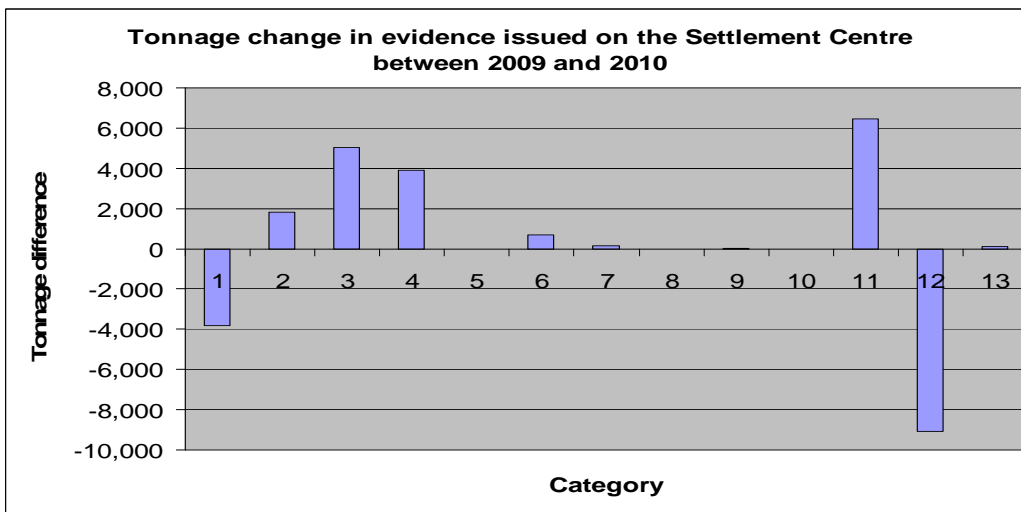
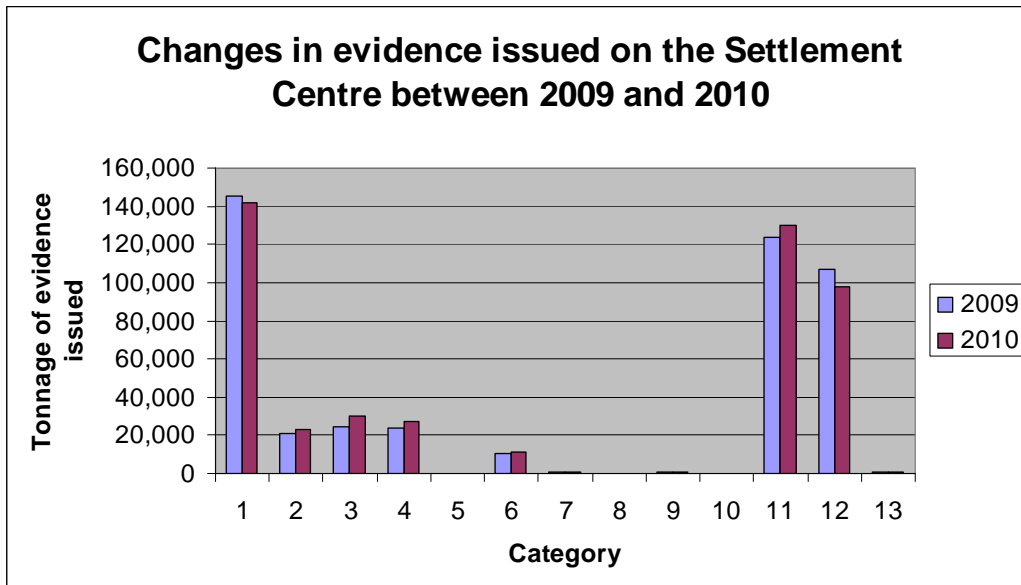
taking on a new role within the EA, managing a team dealing with waste crime. Chris Grove will then become the primary point of contact for all strategic producer responsibility issues, including WEEE. Schemes, treatment operators, exporters and producers should continue to contact the Producer Responsibility Regulatory Service in Sheffield on operational issues.

## **7. Dates and locations of forthcoming meetings**

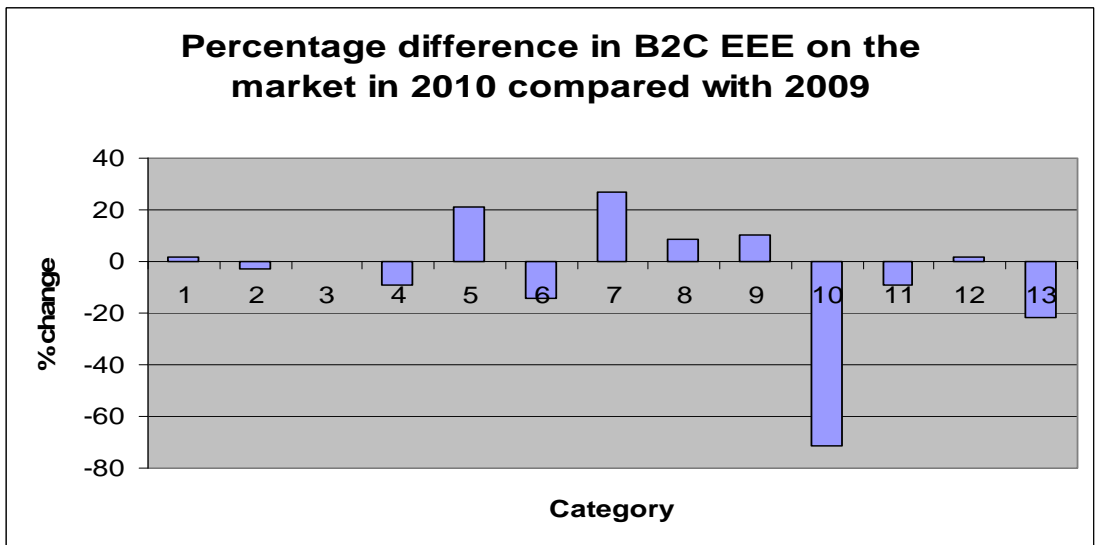
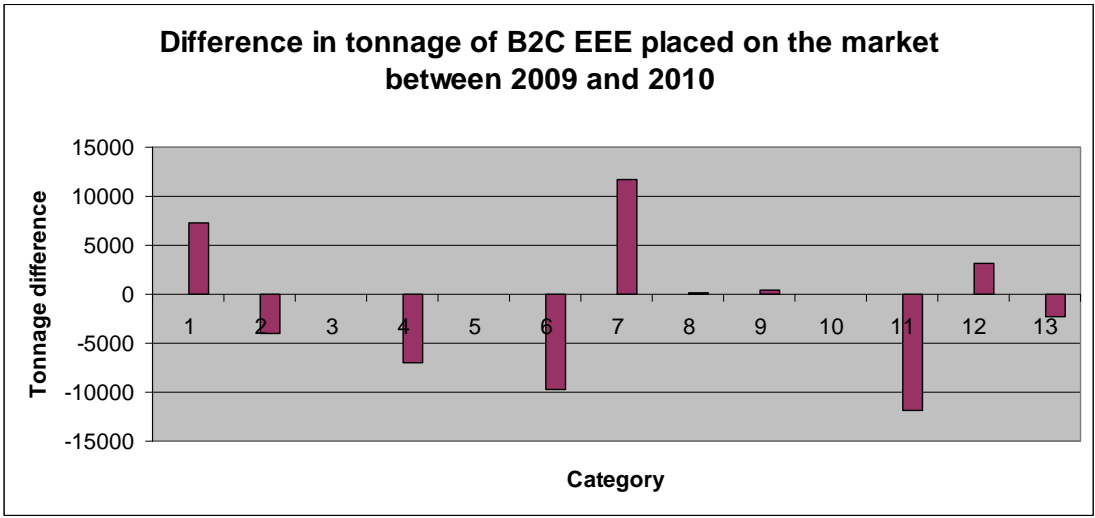
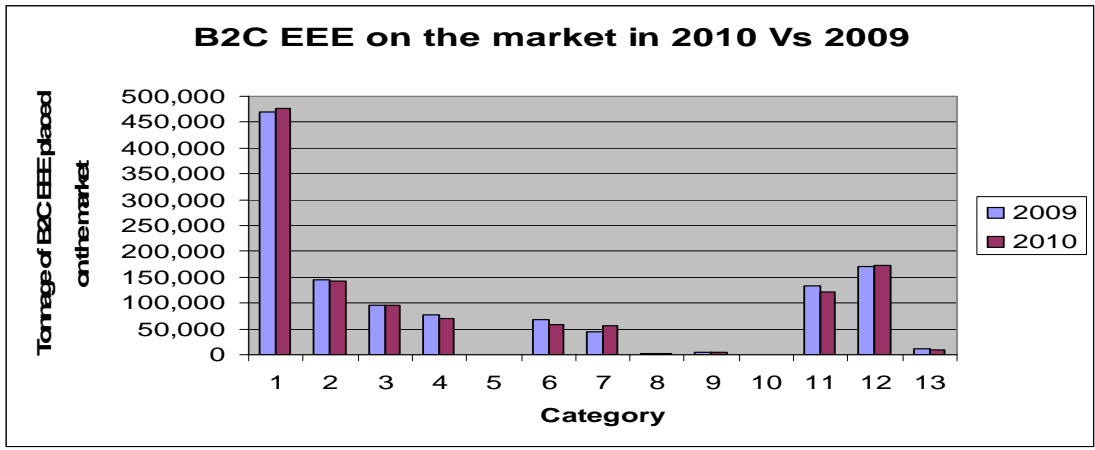
8 <sup>th</sup> June	Sheffield EA
6 <sup>th</sup> September	London (location to be confirmed)
29 <sup>th</sup> November	Solihull EA

**Appendix 1: Final 2010 data observations**

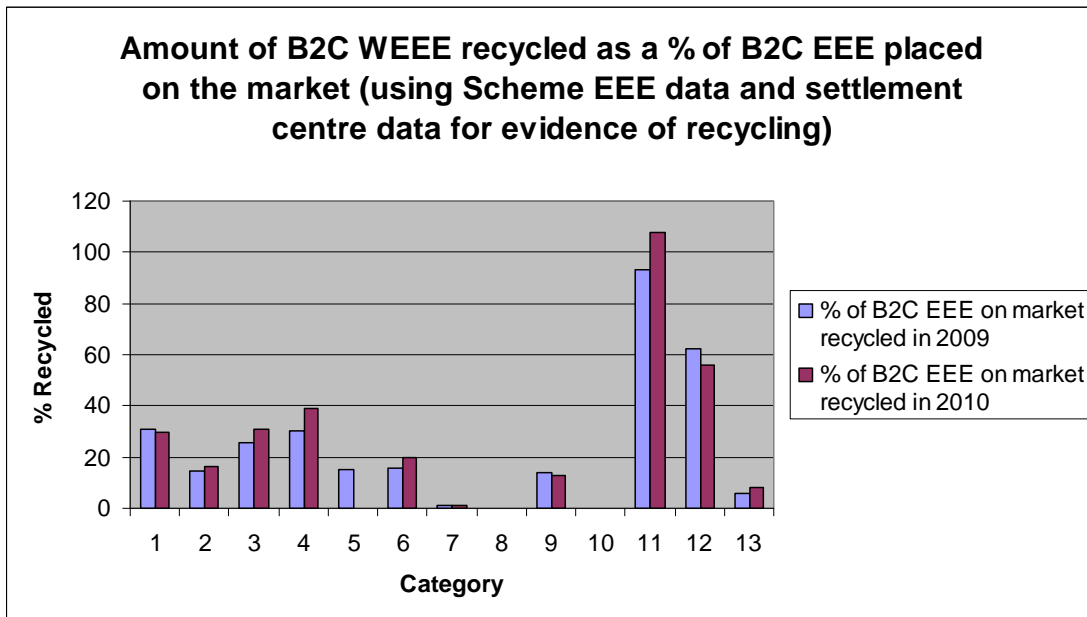
Evidence issued on the settlement centre



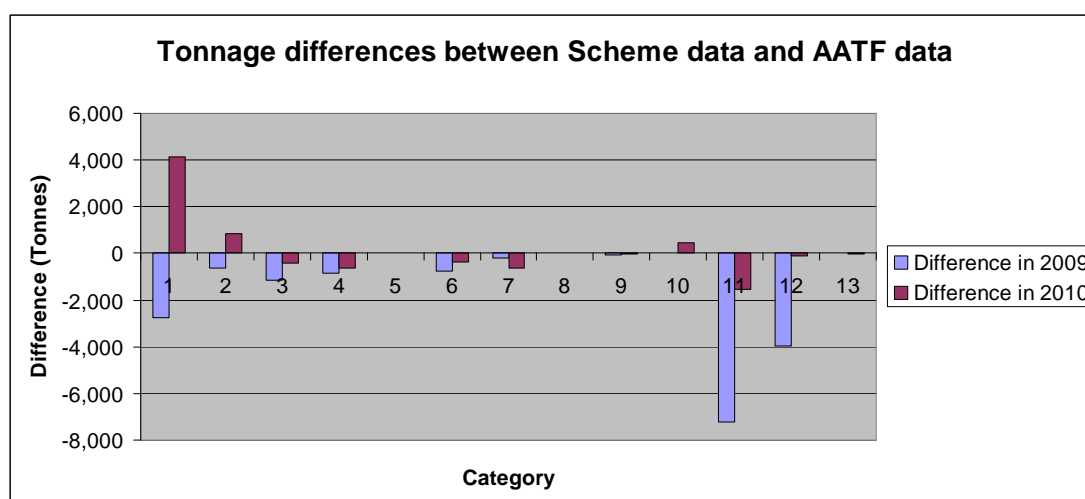
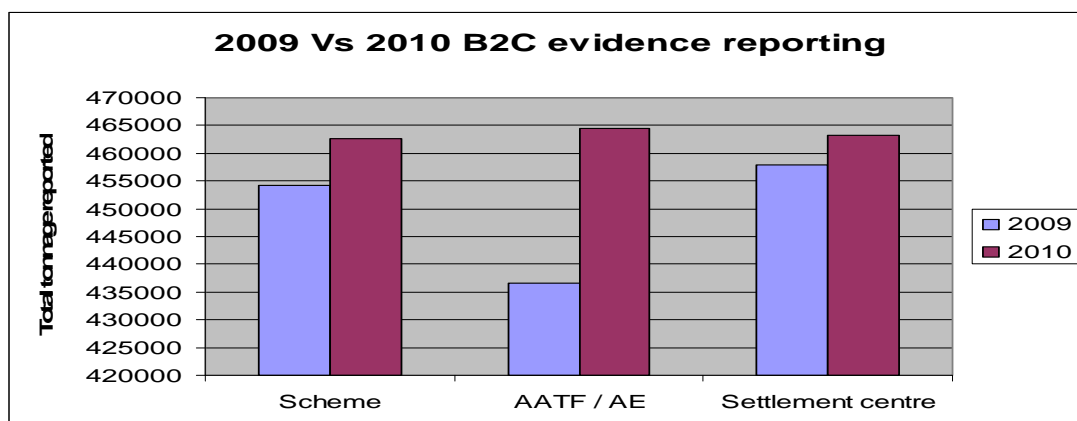
B2C EEE data as reported by schemes



## Recycling rates



Differences between Scheme, Settlement Centre and AATF data



Category	2009			2010		Evidence on SC
	WEEE Collected (PCS)	WEEE Received (AATF)	Evidence on SC	WEEE Collected (PCS)	WEEE Received (AATF)	
1	144,518	141,770	145,416	141,296	145,414	141,577
2	21,176	20,529	21,237	22,983	23,837	23,039
3	24,553	23,386	24,732	29,666	29,263	29,798
4	23,472	22,615	23,440	27,312	26,698	27,359
5	1	5	17	0	1	0
6	10,746	9,985	10,819	10,980	10,623	11,500
7	616	410	635	1,302	665	786
8	1	22	3	10	13	2
9	598	548	598	609	602	611
10	0	0	0	0	471	0
11	121,786	114,556	123,787	130,264	128,728	130,254
12	106,228	102,237	106,662	97,558	97,431	97,572
13	586	590	587	703	694	690
<b>Totals:</b>	<b>454,283</b>	<b>436,653</b>	<b>457,934</b>	<b>462,683</b>	<b>464,440</b>	<b>463,157</b>

Key

<b>Category Name</b>	<b>Category Number</b>
Large Household Appliances	1
Small Household Appliances	2
IT and Telecomms Equipment	3
Consumer Equipment	4
Lighting Equipment	5
Electrical and Electronic Tools	6
Toys Leisure and Sports	7
Medical Devices	8
Monitoring and Control Instruments	9
Automatic Dispensers	10
Display Equipment	11
Cooling Appliances Containing Refrigerants	12
Gas Discharge Lamps	13