

## The dismantling of WEEE for the re-use<sup>1</sup> and recovery of its component parts

If you comply with the requirements set out below, we will allow the dismantling of components of WEEE pending re-use<sup>1</sup> or recovery elsewhere, without an environmental permit.

### Background

Paragraph 40<sup>2</sup> of Schedule 3 of the Environmental Permitting (England and Wales) Regulations 2007 exempts the repair and refurbishment of WEEE. It does not exempt the dismantling of WEEE for the re-use or recovery of its components. An environmental permit is required for this operation.

Paragraph 40<sup>2</sup> has been replaced by Paragraph [T11](#) in the Environmental Permitting (England and Wales) Regulations 2010. This new paragraph exempts the repair and refurbishment of WEEE, and the dismantling of WEEE for re-use, but not for recovery. An environmental permit is required for this operation.

### Our position

#### Sites registered under Paragraph 40

We will not pursue an application for an environmental permit where:

- The total amount of wastes in Annex 1 below dismantled for re-use or recovery does not exceed the quantity limits in Paragraph 40 when in combination with those wastes which are being treated for repair or refurbishment.

#### Sites registered under a T11 exemption

We will not pursue an application for an environmental permit where:

- The total quantity of wastes in Annex 1 below dismantled for recovery must not exceed the limits in Paragraph T11 when in combination with those wastes which are being treated for repair or refurbishment, or being dismantled for re-use.

<sup>1</sup> The re-use option in the position statement only applies to operations already exempt under Paragraph 40 of Schedule 3 to the Environmental Permitting (England and Wales) Regulations 2007.

<sup>2</sup> Whilst operators can no longer register this exemption, there is a transition period until 1 October 2012 which allows those sites already registered to continue operating until that date.

### For both Paragraphs 40 and T11:

- the best available treatment<sup>3</sup>, recovery and recycling techniques are used when treating the waste;
- the operation meets the technical requirements specified in Annex III of the WEEE Directive;
- in relation to any relevant waste to which codes 160211\* or 200123\* apply (WEEE containing CFCs, HCFCs and HFCs and WEEE containing CFCs), the waste is stored in such a manner so as to prevent the release of CFCs, HCFCs and HFCs;
- the waste is stored in such a manner that its environmentally sound reuse or recycling is not hindered; and “treatment” does not include the degassing or capture of ozone depleting substances;
- you meet the relevant objectives of the Waste Framework Directive;  
'... ensuring that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment and in particular without –
  - (i) risk to water, air, soil, plants or animals; or
  - (ii) causing nuisance through noise or odours; or
  - (iii) adversely affecting the countryside or places of special interest.'

### Enforcement

In not pursuing an application for a permit, this means we will not normally take enforcement action unless the activity has caused, or is likely to cause, pollution or harm to health. For a more detailed explanation of this enforcement position, please refer to the public interest factors in *Guidance for the Enforcement and Prosecution Policy*. This document can be found on the 'How we regulate you' page in the Business & Industry section of our website.

This regulatory position will be reviewed by October 2012.

MWRP RPS 049  
Version: 2  
Issued: July 2010

---

<sup>3</sup> “best available treatment, recovery and recycling techniques” has the meaning given in the document published jointly by the Department for Environment, Food and Rural Affairs, the Welsh Assembly Government and the Scottish Executive on 27<sup>th</sup> November 2006, entitled [“Guidance on Best Available Treatment, Recovery and Recycling Techniques \(BATRRT\) and Treatment of Waste Electrical and Electronic Equipment \(WEEE\)”](#).

## Annex 1: Lists of waste types

<b>Codes</b>	<b>Waste types</b>
160211*	WEEE containing CFCs, HCFCs and HFCs
160213*	WEEE containing hazardous components other than those mentioned in 160209 to 160212
160214	WEEE other than those mentioned in 160209 to 160213
160216	Components removed from discarded equipment other than those mentioned in 16 02 15
200123*	WEEE containing CFCs
200135*	WEEE other than those mentioned in 200121 and 200123 - containing hazardous components
200136	WEEE other than those mentioned in 200121, 200123, and 200135

customer service line

08708 506 506

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

incident hotline

0800 80 70 60

floodline

0845 988 1188