



FAQ on “WEEELABEX”, the WEEE Forum multi-annual project aimed at laying down a set of European standards with respect to collection, treatment, recovery and recycling of waste electrical and electronic equipment (WEEE) and monitoring the processing companies

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1. What issues will WEEELABEX address?

WEEELABEX aims at addressing a number of concerns and new realities:

- Directive 2002/96/EC on WEEE was supposed to harmonise regulatory requirements with respect to the responsibilities for collection, recycling and recovery of e-waste in Europe, but reality is that the requirements laid down in the Directive are interpreted and applied differently across Europe. A patchwork quilt of different treatment requirements makes economies of scale for processing companies and fair competition among companies difficult.
- Furthermore, treatment practices differ considerably from member state to member state. In some parts of Europe, post-shredder technologies are cutting edge, while in others, there is practically no experience at all.
- Consumers and electronics producers paying for the management of WEEE have no assurance of the environmental performance of companies involved in collection, pre-treatment (de-pollution), and recovery and recycling.
- WEEE collection and recycling has increasingly become a cross border business and is carried out in big, specialised plants.
- The recycling technologies undergo a rapid development process and new types of equipment, such as LCD (liquid crystal displays) and photovoltaics, demand new treatment solutions.
- Some e-waste processing companies succeed in gaining a competitive advantage thanks to the application of less environmentally sustainable activities.

WEEELABEX will make environmental performance more transparent and will level the playing field through the creation of one harmonised set of standards. It will create incentives for operators to meet the highest standards, and disincentives for dishonest companies to dodge the system. Operators that have not been awarded a label due to failure to comply with the standards will be subject to easier scrutiny by the authorities, thereby alleviating the enforcement agencies' role. WEEELABEX' standards, as opposed to the legislative requirement laid down in Annex II of the Directive, allow for a more flexible toolbox; laws and decrees are too inflexible tools to address this constantly changing landscape.

2. What is the total cost of WEEELABEX?

The project's actions have been estimated at €1,064,600. The European Community, under Life+, a financing instrument that promotes, amongst other things, environmental governance, has agreed to finance 50 per cent of the total eligible budget, i.e. €532,300. The total budget is not necessarily split in equal one-year budgets; depending on the upcoming workload, more or less budget may be required.

3. When will the project start, and when will it come to an end?

The project was approved on 28 July 2008 by the so-called “Life committee”, an EU body composed of member states and chaired by the European Commission. Since then, the WEEE Forum office has been setting up the framework for the pre-project phase, which consists of preparing the ground for a swift start on 1 January 2009. EU financing of the project is supposed to end on 31 December 2012.

Early 2013, the WEEE Forum will assess the appropriateness of continuing the project in some of its aspects.

4. Will the project result in additional costs for WEEE Forum members?

The additional external budget of €532,300 means in practice that the project will be more ambitious than originally expected, i.e. we will manage to do more in the same timeframe and the same original membership budget. For this project, no additional financial means on top of the 3-year budget forecast agreed in Bratislava should in principle be necessary.

5. Why does WEEELABEX envisage certification of treatment and recycling facilities?

The certificate is the result of fulfilling the WEEELBEX standard by a company on a particular site. It demonstrates that the standard has been monitored and audited by the harmonized procedures, developed and implemented within the 4-year project. The project has to create the certificate.

6. Why should companies in the e-waste processing industry welcome this initiative?

Today, most processing companies play by the rules and meet existing standards or regulatory requirements. However, they often tend to face fierce competition from companies that apply sub-optimal standards, or, worse, are engaged in semi-legal business. In the long run, the “WEEE label of excellence” will separate the wheat from the chaff, i.e. will create a visible distinction between those operators that (already) meet the highest standards and those that do not.

7. Why should authorities welcome this initiative?

Market surveillance, compliance monitoring and enforcement of legal requirements are typically tasks performed by authorities. However, there are a number of reasons why they are likely to welcome this initiative:

- The enforcement agencies' resources are limited.
- They are not or insufficiently familiar with WEEE treatment technologies.
- They are often mainly concerned with issues of compliance and formal requirements rather than with real-life business.
- Transparency in the cross border business will be enhanced and notification of exports becomes easier

In addition, the state of enforcement of the laws transposing the Directive varies from Member State to Member State. The "WEEE label of excellence" is therefore a unique opportunity to harmonise this very important task at European level.

8. Why should consumers and the producers' community welcome this initiative?

A harmonised set of standards will:

- Allow operators in the e-waste processing industry to reduce costs, which will benefit appliance makers and consumers.
- Lead to less confusion among producers and expose them to a lesser extent.
- Allow producers to position themselves as parties that take corporate responsibility seriously.

9. Which parties have a stake in the project?

The following parties have a stake in the project:

- The 41 Europe-wide collection and recovery systems that make up the WEEE Forum have to develop, adopt and implement the standards and validation process.
- Non-WEEE Forum compliance schemes and individual producers of electronic and electrical equipment that have opted to set up brand-specific take-back solutions, so-called "individual systems" or non-market share based approaches.
- E-waste processing companies that provide services to the systems, and their

representative organisations.

- Collection operators and entities, for example private companies and municipalities.
- European, national and sub-national legislative authorities and decision-makers.
- National and sub-national environment authorities and enforcement agencies.
- The Certification Office, responsible for the administration of the “WEEE label of excellence”.
- Producers’ community as represented by, for example, sector associations.
- Environmental and consumer (non-governmental) organisations.
- Auditors in charge of the actual assessment and enforcement of the label.

Representatives, or at least a selection, of these stakeholders will have a permanent seat in the Advisory Group, which will meet periodically.

10. Who will administer the label of excellence?

WEEELABEX is supposed to set up a Certification Office or to mandate an existing certification company for the administration of the “WEEE label of excellence” and the certification of e-waste management operators.

11. How many certifications are planned?

During the project period we intend to certify approximately:

- 15 cooling and freezing appliance treatment plants
- 25 regular WEEE treatment plants
- 8 luminaires treatment plants

12. How will the parties that have a stake be involved in the project?

The stakeholder community will be formally invited to an information session, planned in November 2008. Those parties that express an interest in being involved in the project will be offered a permanent seat in the Advisory Group, a forum that will advise the PSG on ongoing developments.

13. What results is the project expected to deliver?

The project will produce:

- Certification management procedures, such as applicable formal requirements, the monitoring and auditing concept, and the sanction and cancellation procedure.
- Uniform rules of certification.
- Standards including technical specifications, documentation and reporting obligations, and organisational and managerial requirements with respect to processing of WEEE.
- Tools such as manuals, check lists, forms for the auditing and monitoring process to be approved during the pilot project stage.
- A pool of approximately 20-30 auditors, familiar with WEEE processing technologies, trained to audit with respect to the standard.

14. What are the environmental benefits?

Standards with respect to collection, depollution, recovery and recycling, and in particular observance of those standards, will result in better overall protection of the environment (and workers' safety). See annex for a rough estimate of the environmental impact.

15. Will the standards account for differences in market quality?

In principle and as a rule, standards will not be tailor-made to the specificities of a market. However, certain provisions may provide for temporary exemptions or phase-in conditions.

16. What are the project's ultimate objectives?

Improved protection of the environment is the ultimate objective. The collection, sorting, storage, transportation, depollution and disposal of all kinds of WEEE today should be improved to prevent pollution, minimise emissions and maximise the recovery of secondary feedstock material.

The WEEE Forum and its member systems are committed to this superior objective as a key activity. It is a commitment vis-à-vis both producers and the public at large.

17. What principles will the standards be based on?

The standards will be based on a number of principles.

- The scope of the harmonised set of standards is given by the Directive and by EU and national legislation (and subsequent updates) concerning environmental protection and occupational health and safety.
- The ultimate objective and criteria of setting up standards is the environmental performance with respect for feasibility, proportionality and the precautionary principle.
- The standards should be designed as goal oriented as possible. Means, methods, tools, technologies or other technical equipment should not be set up as standards if not absolutely necessary.
- Rules and requirements impossible or impractical to be monitored or checked on the spot should not be set up.
- Needless to say, the standards should be as short as possible, clearly structured and easy to be understood by those who have to implement them. And they will need to be verified periodically to improve them with respect to the experience of implementation.

18. To what extent does the “WEEE label of excellence” differ from a certification mark?

In some cases, certification marks are awarded to commercial products to indicate the existence of a legal follow-up agreement between the manufacturer of a product and a national accreditation organisation, providing legal evidence that the product was successfully tested in accordance with a nationally accredited standard. A certification mark also provides legal assurance that the accredited certification organisation has ensured that the item was successfully tested and is identical to that which is being offered for sale. And finally, it indicates that the manufacturer is being regularly audited by the certification organisation to ensure the maintenance of the original process standard that was employed in the manufacture of the test specimen.

The “WEEE label of excellence” will provide equivalent indications of conformity with the standards, with the exception that the agreement between the Certification Office and the company will have little legal value unless endorsed by the authorities.

The Certification Office will charge a fee for the use of its label. In return, the use of the label will enable promotion of the certified company as an appropriate e-waste treatment operator.

The operator having been awarded a label is expected to use the label to indicate conformity with the standards laid down by the WEEE Forum.

19. What are the main responsibilities of the Certification Office?

The Certification Office is not conceived as a WEEE Forum body; it will fall outside the existing structure of the WEEE Forum, and will be auto-financed. It will be set up during the roll out of the project and will continue its activities after ending the project in 2012.

The main tasks of the Certification Office are related to:

- Implementation of the certification procedure, such as applicable formal requirements, the monitoring and auditing concept, and the sanction and cancellation procedure.
- Adherence to uniform rules of certification.
- Consultation of systems, certified or interested companies and authorities
- Coordination and supervision of the monitoring and auditing process
- Internal/external communication and awareness raising of the “WEEE label of excellence”

The Certification Office will be able to initiate and manage the whole certification process. It will provide advice to e-waste processing companies and collection and recovery systems regarding certification, supervise the standards and the use of the “WEEE label of excellence” by the certified companies. It will mandate auditors to certify companies and supervise the whole certification process.

Alternatively, it may be decided to make the Certification Office part of an existing certification company, mandated and supervised by the WEEE Forum.

20. Is monitoring of compliance with legislative requirements not normally in the hands of national and/or sub-national authorities?

The task of an e-waste processing company is depollution, pre-treatment, recycling, recovery and disposal of WEEE in compliance with legislation and “state of the art” processing. So the quality of the outcome should not be taken for granted; it has to be monitored meticulously and consistently. Targets and standards are meaningless if they are not regularly monitored.

Monitoring is indeed a task typically performed by national and/or sub-national authorities. The trouble is that the resources of the enforcement agencies are limited. Plus,

environment protection agencies are not familiar with WEEE treatment technologies, are concerned with formal requirements and often with many other types of environmental problems. In addition, the state of enforcement of the nationally transposed Directive varies from member state to member state. In some states, authorities have delegated the monitoring of WEEE processes to the systems. The "WEEE label of excellence" is therefore a unique opportunity to harmonise this very important task at European level.

Anyway, legal compliance will be verified in the same way as in ISO 14001 Environmental Management Systems. This means that the company has to demonstrate its method of fulfilling legal requirements.

21. What are the responsibilities of the different project entities and individuals?

All issues related to governance, such as the responsibilities and authority of the different bodies, are described in a separate document, see "WEEELABEX governance" [GA 08-XX].

WEEELABEX envisages the creation of a Project Steering Group (PSG) and an external forum, the so-called Advisory Group (AG). A Project Manager (PM) will be employed, following feedback to a call for expressions of interest in the position. The PM will run the project and report to the Board. The PM will work in close co-operation with the Secretary General.

The PSG, PM and Secretary General will make up the Project Management Team (PMT). The PMT will be assisted by a Working Group composed of, on the one hand, representatives of member systems, and, on the other, a pool of experts contracted by members, ad-hoc experts, consultants, service providers, and so forth.

The AG will be composed of parties that have a stake in the project (the so-called "stakeholders"); a number of stakeholders will have a permanent seat in the AG.

Members of the WEEE Forum will be invited to express an interest in membership of the PMT and associated working groups.

22. What is the role of the member systems of the WEEE Forum in the project, apart from those directly involved in the project?

In accordance with the WEEE Forum charter, which replaces the 2006 code of conduct and which will be adopted by individual members at the GA in Barcelona on 21 November 2008, members are expected to observe the rules as well as respect and put into practice the conclusions of the bodies of the WEEE Forum, in particular decisions taken by the Board and by the GA, in accordance with the statutes of the WEEE Forum.

The GA will endorse, by majority voting of those permanent/substitute members present, the standards proposed by the project management team. Standards adopted by the GA must be implemented by the members of the WEEE Forum. Members systems will be obliged to integrate standards in contracts and tendering processes with treatment partners and to ask for certification.

Permanent/substitute members of the GA and their staff or external experts can at any time, upon explicit request, be involved in the working groups and sub-working groups.

23. How will the WEEE Forum communicate about the project?

In accordance with the project plan and with explicit requests of the Commission, the WEEE Forum will communicate about progress on a regular basis.

- On the WEEE Forum website, a section will be devoted to a description of the project, i.e. its objectives, governance, milestones and process.
- A dedicated extranet will be set up for the PMT and its working groups.
- Information sessions throughout the year. The first pre-project information session is scheduled for November 2008.

Annex

	By WEEE Forum members ⁱ	By EU27 member states
EEE put on the market	3.9 Mt	10.3 Mt
WEEE collected	1.2 Mt	Not available
Cooling equipment put on the market	0.8 Mt	1.82 Mt
Cooling equipment collected	0.2 Mt	Not available
Larger household appliances put on the market	1.4 Mt	2.85 Mt
Large household appliances collected	0.5 Mt	Not available
Luminaires put on the market	0.09 Mt	0.07 Mt
Luminaires collected	0.01 Mt	Not available

ⁱ Based on "2007 Key Figures" and estimations by UNU