

**CODE OF PRACTICE FOR THE
COLLECTION OF WASTE
ELECTRICAL AND ELECTRONIC
EQUIPMENT (WEEE) FROM
DESIGNATED COLLECTION
FACILITIES**

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Code of Practice for the Collection of Waste Electrical and Electronic Equipment (WEEE) from Designated Collection Facilities (DCFs)

1. This Code of Practice replaces the Code of Practice published by the Department for Trade and Industry (now the Department for Business, Innovation and Skills – BIS) in February 2007.
2. The Code of Practice (“the Code”) must be adopted by all Producer Compliance Schemes (PCSs) that have been approved by the Environment Agencies¹ under Part 7 of the Waste Electrical and Electronic Equipment Regulations 2006² (“the Regulations”) and operators of Designated Collection Facilities (DCFs) that have been approved by the Secretary of State under Regulation 55 of the Regulations.
3. The Code should be read in conjunction with the WEEE Regulations and Government Guidance Notes that were published in November 2009.

Purpose of the Code of Practice

4. The Code is issued by the Secretary of State under Regulation 57 of the Regulations.
5. The Code contains practical guidance on the minimum standards which must be met by PCSs and the operators of DCFs under the Regulations. This forms part of the approval for both PCSs and DCF operators. Not complying with these minimum standards may result in the withdrawal of approval of either PCS or DCF status under the Regulations.
6. The Code sets out the minimum requirements for the arrangements between the DCF operator and the PCS contracted to clear the DCF site. These include:
 - The nature and content of service level agreements or other contractual arrangements to ensure that the separate collection of WEEE at DCF sites is maximised; and
 - the respective roles and responsibilities of the parties involved.
7. The Code does not seek to prescribe the details of the agreements between PCS and DCF operators. Neither BIS nor the Environment Agencies will enter into discussion on the content of such agreements.
8. The Code should not prevent a PCS and DCF operator from putting in place agreements which go beyond the requirements set out in the Code, provided those agreements observe the requirements of the Regulations.

¹ In England and Wales “The Environment Agency”, in Scotland “The Scottish Environment Protection Agency” and in Northern Ireland “The Northern Ireland Environment Agency”.

² SI 2006 no. 3289, as amended by the Waste Electrical and Electronic Equipment (Amendment) Regulations 2007 (SI 2007 no.3454) and 2009 (SI 2009 nos. 2957 and 3216).

9. The Code does not seek to modify or interpret any requirements of the Regulations or any other legislation.

10. The Code does not cover:

- relationships between Local Authorities (LAs) and distributors under the Distributor Take Back Scheme (the DTS);
- provision and funding for the upgrade or other modifications to Civic Amenity (CA) sites;
- the approval process for CA sites to become DCFs;
- non-Household WEEE.

11. DCF operators, including LAs or their appointed third party contractors, have sole responsibility for the operation of DCFs, including site layout and associated facilities.

Arrangements for the clearance of WEEE from DCF sites

DCF Operators

12. For the purpose of the Code, a DCF operator is the organisation responsible for the control of the DCF. Where a LA has placed the day to day running of a DCF in the hands of a third party contractor, the LA remains responsible for the successful operation of the site for the purposes of the Regulations.

13. Third party contractors appointed by LAs that also operate Approved Authorised Treatment Facilities (AATFs) are not permitted under the Regulations to insist that WEEE arising at the DCF site is transported and treated at their facilities without the agreement of the PCS aligned to the DCF.

14. DCF operators, including those who also operate as AATFs, are not permitted to transport and treat WEEE independently with the aim of selling the resulting evidence unless they are not contracted to a PCS.

Service Level Agreements

15. The respective responsibilities of DCF operators, PCSs and third party organisations are the minimum standards that must be met to ensure the separate collection of WEEE is maximised on DCF sites. Whole items of WEEE should be passed to AATFs for treatment, recovery and recycling in line with the requirements of the Regulations. Whole items should be passed for refurbishment and/or re-use as appropriate.

Responsibilities of DCF operators

16. A DCF operator is responsible for:

- having in place an agreement with a PCS to clear all separately collected household WEEE deposited at the site. Where problems occur between a DCF operator and a PCS the process outlined on page 5, (Failure to Clear DCFs), should be followed;
- setting aside sufficient space for the separation of household WEEE in line with the categories stated in the site's approval. This can be via containers or other suitably defined areas to allow collection by the PCS;
- providing access to members of the public to dispose of household WEEE and providing clear, visible and appropriate signage to direct them to the relevant area or container;
- ensuring that all separately collected WEEE is assigned to the appropriate container according to the collection categories under the DCF approval (see the annex at the end of this document);
- making **ALL** separately collected household WEEE deposited at the site available to the PCS without charge. There must be no diversion of WEEE from the site to channels outside of those agreed by the PCS. This includes diversion for reuse not agreed by the PCS or "totting". Any cables or fridge doors removed for health and safety reasons are considered separately collected WEEE and must be made available to the PCS.
- ensuring systems are in place to identify whole items of WEEE suitable for refurbishment and reuse, (see Reuse section on page 5). This should be in partnership with the PCS and third party organisations where necessary;
- giving access to the PCS (or their appointed contractor) to remove WEEE from the DCF in accordance with the agreements in place between the PCS and the DCF site operator.

Changes in agreements between DCF operators and PCSs

17. DCF operators must inform BIS when:

- any changes in agreements with PCSs occur, including when there is a change of PCS clearing the site;
- any agreement with the PCS is terminated and approval is required to make alternative arrangements to clear the site and make evidence available to other PCSs via the Settlement Centre.

18. Without permission from BIS, the Settlement Centre account for the LA concerned will not be activated.

PCS Responsibilities

19. The PCS is responsible for:

- having in place agreements with DCF operators to clear sites of separately collected household WEEE to meet the obligations they have set out in their viable plan;
- ensuring all WEEE is collected and transported to an AATF for treatment, recovery and recycling to meet regulatory requirements;
- the full costs attached to the provision of containers at the DCF;
- the costs of transporting WEEE from outlying DCFs to a central transfer point (for either onward transportation by the PCS or collection by an appointed AATF):
- treatment costs charged by the AATF and Duty of Care documentation;
- ensuring systems are in place, in partnership with the DCF operator and third party organisations as necessary, to identify whole WEEE items suitable for refurbishment and reuse;
- confirming that all WEEE is treated in line with BATRRT, (the Best Available Treatment, Recovery and Recycling Techniques).

20. Information is required by LAs to meet any other statutory duties relating to waste and recycling. The information should be provided within one calendar month of the end of the month following collection. Where possible this information should be provided in an electronic format to be agreed with the LA concerned. Other information needed by LAs may be agreed on a local basis.

Reuse (See Chapter 10 of the Government Guidance Notes³ on the WEEE Regulations for further guidance).

21. PCSs are encouraged to develop relationships and agreements with organisations specialising in the refurbishment and reuse of electrical and electronic equipment, either on a commercial or charitable basis.

22. The Regulations allow for whole items of WEEE that have been refurbished and can be reused to be off set by PCSs against their obligations. For whole items to be counted towards the obligations of the PCS, the WEEE must have evidence issued against it by an AATF.

³ <http://www.bis.gov.uk/files/file54145.pdf>

23. It is the responsibility of both the PCS and the DCF operator to be satisfied that such items are going to legitimate re-use organisations that have the necessary capabilities and systems to test items, carry out or arrange refurbishment (where necessary) and ensure reuse occurs.

Treatment of WEEE at DCFs

24. DCF Operators must not carry out any form of treatment of WEEE on a DCF site unless the site has the relevant permit. Evidence cannot be issued by any site that has not been approved. Such activity includes any form of dismantling, including the removal of cabling, components, such as circuit boards or parts of appliances (for example, doors). Appropriate storage of WEEE and attentive site management should be employed at all times to address all health and safety concerns.

25. All WEEE deposited at a DCF should be regarded as waste. It can only be transferred to legitimate reuse or treatment operators in conjunction and agreement with the DCF operator, the PCS and the AATF that will issue evidence.

Failure to clear DCFs – required action

26. In the event of the contracted PCS failing to clear the DCF in line with the agreement reached with the DCF, the DCF should:

- take up the issue directly with the PCS concerned to ascertain the reason for the site not being cleared. Where possible an agreement should be reached at this stage to clear the site; and
- seek agreement from BIS for the Local Authority's Settlement Centre account to be activated if the matter fails to be rectified or the agreement is not observed by the PCS. This will allow the DCF operator to arrange for evidence from the clearing of the site to be made available to other PCSs.

27. In order for the Settlement Centre account to be activated, BIS will need written confirmation from the PCS concerned, the issue which has resulted in the breakdown of the agreement, action which has been taken to resolve the issues and details of any reoccurring problems. If BIS accepts the evidence provided, the Settlement Centre account will be activated. Permission to have a Settlement Centre account activated will only be granted to a DCF on a temporary basis.

28. In the first instance, the DCF should try and resolve any issues with their PCS. If no resolution can be found it may result in termination of the contract. In this situation an agreement with an alternative PCS will be necessary.

29. Where a PCS is experiencing difficulties in gaining access to a DCF site or has evidence that not all WEEE arising at the site is being made available for collection, BIS should be informed. BIS will need a summary of the concerns together with supporting evidence. BIS will only take action in cases supported by substantive evidence.

30. Where BIS concludes that the DCF is not giving access or making ALL the separately collected WEEE available to the PCS, the DCF will be notified of the corrective actions that are required. Failure to implement the actions may result in removal of the DCFs approval under Regulation 56 of the Regulations.

DCF Site Management Issues

1.. DCF operators have a responsibility to maximise the separate collection of WEEE in line with their approval. All WEEE from the public that is brought to a DCF should be treated as waste and separately collected for inclusion in the WEEE system. No activity on site should divert WEEE away from the WEEE system, unless it is to legitimate reuse organisations with the agreement of both the PCS and the DCF operator. This should be done in conjunction with an AATF to allow evidence of reuse to be issued.

2. As a minimum DCFs should set aside sufficient space for:

A Large Household Appliances

B Cooling Equipment

C Display Equipment i.e. CRT, LCD and Plasma displays (including TVs and monitors)

D Gas Discharge Lamps

E All other WEEE

3.. Sites are required to accommodate containers of a size and type appropriate for **Categories C- E** and hard standing areas or containers for **Categories A and B**

4. Where this is not possible approval may be given by BIS for a DCF to collect fewer streams provided that:

- evidence is available to demonstrate the restrictions for collecting fewer waste streams – for example limited space ;
- all possible avenues have been explored to maximise the number of streams to be collected on site – for example smaller containers, re-organisation of the site or more frequent collections, (giving due regard to the environmental impact); and
- sites are able to receive other streams from the public that are within a reasonable distance in the LA area and are accessible to all on an equal basis.

5. DCFs must separately collect hazardous WEEE in line with the Hazardous Waste Regulations⁴ and have a minimum of one container for mixed WEEE. Where a site has capacity for the further separation of categories under the Regulations this must be accommodated.

⁴ <http://www.opsi.gov.uk/si/si2005/20050894.htm>
http://www.opsi.gov.uk/si/si2009/uksi_20090507_en_1

6. In exceptional circumstances streams may be mixed on site, but only when **Categories C** and **D** still remain separate and **Category B** can be readily identified for removing separately.

7. DCF operators must allow PCSs to collect (or have collected on their behalf) separately collected WEEE. The timetabling and frequency for collection is a matter of negotiation between the relevant parties. BIS will not intervene in such discussions.