



Department
for Business
Innovation & Skills

Local Authority Waste Disposal Officers

23 November 2012

Dear Waste Disposal Officer

**WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT REGULATIONS (WEEE):
INFORMATION ON PRODUCER COMPLIANCE SCHEME COLLECTIONS RELATIVE
TO THEIR OBLIGATIONS**

As part of the Government's response to the "Red Tape Challenge" commitment to improve the WEEE regulatory system one area we have identified for improvement is greater transparency for Local Authorities on PCS obligations and collection arrangements.

Local Authorities currently have no access to information about the obligations and collection arrangements that Producer Compliance Schemes (PCSs) have in place. We believe that greater transparency on this information would assist local authorities that are retendering to appoint a PCS, by allowing them to determine the extent to which schemes may require their tonnage in order to meet their own obligations.

Actual tonnage data is commercially sensitive and will not be published. However we have categorised each PCS in terms of their direct collection arrangements and whether these fall short, meet or exceed their obligations, without providing any indication or scale to the actual tonnages involved.

PCSs can work together to collect WEEE on behalf of each other and such arrangements allow the PCS to demonstrate overall how they will meet their obligations. However the information provided here just focuses on the correlation between their direct arrangements and their individual obligations.

The colour coded table at Annex A indicates which PCS "direct collection arrangements" from private households are in balance with their obligation; in excess of their obligation; or

1 Victoria Street, London, SW1H 0ET
<http://www.bis.gov.uk/>

Direct Line +44 (0)20 7215 1836 | Fax +44 (0)20 7215 nnnn
Enquiries +44 (0)20 7215 5000 | Email env.regs@bis.gsi.gov.uk



fall short of their obligation. The information in Annex A represents the position as of the 13 November 2012. The table will be updated at the end of each quarter.

Producer Compliance Schemes – Viable Plans

The WEEE Regulations require PCSs to maintain a “Viable Plan” which sets out how they will collect an amount of WEEE that is equivalent to the amount of WEEE that it is responsible for financing. These can either be direct arrangements or arrangements with other PCSs to collect on their behalf.

Winning or losing a local authority contract would represent a material change to a viable plan. If a PCS wins a new contract and it arranges to collect all or part of this WEEE on behalf of another scheme, any such arrangement must be in place before any WEEE is collected under that contract. Where material change occurs to a Viable Plan, the PCS must submit a revised Plan to the relevant environment agency within 28 days.

Explanatory Note

The table in Annex A lists all UK PCSs with an arrangement to collect WEEE arising from private households. It illustrates if the PCS’s current viable plan shows that its “direct collection arrangements” are:

- in balance with its obligation (green),
- in excess of its obligation (grey), or
- represent a shortfall in its obligation (blue).

It shows the position for the five collection categories.

“Direct collection arrangements” are those where PCS has an arrangement in place with local authorities (or their waste management partner), retailers or other collection arrangements under Reg 32, 39 or 40A specified in their Viable Plan. It does not reflect any other collection arrangements which a PCS may have in place.

“In Balance” means the direct arrangements are within +/- 10% of the obligation as indicated in a PCS’s Viable Plan, not considered to be significant because the tonnages are small, or that the PCS has no obligation and no collection arrangements.

The table contains information extracted from the latest Viable Plans held by the relevant environment agency at the time of publication. Viable Plans are regularly updated by PCSs to reflect any significant changes. The table should therefore only be used as a guide to the position at the time of publication. PCSs can provide up to date information during tendering.

Example:

Name of	LDA	Cooling	Display	Lamps	Mixed
---------	-----	---------	---------	-------	-------



PCS	A	B	C	D	E
PCS 1					
PCS2					
PCS 3					

In the example given above:

PCS 1 is balanced in LDA, Cooling and Display, has an excess from direct collections in lamps and a shortage in mixed WEEE.

PCS 2 has an excess in each category except mixed WEEE, which is in balance.

PCS 3 has a shortage of direct collections in LDA, Cooling and Display, but an excess of direct collections in lamps. Mixed WEEE is in balance.

A local authority seeking to re-tender its PCS arrangement is free to partner with any PCS of its choice. However, in the illustration above it might seek an explanation from PCS 1 and 2 about how they are intending to manage their obligation to maintain a balanced viable plan should they be successful in winning the DCF contract. PCS 3 generally has a shortage of direct collection arrangements, but the local authority might seek clarity on its arrangements in relation to category D and E.

Any scheme winning the contract would need to resubmit a balanced viable plan to the relevant environment agency within 28 days. Commencement of collections related to a new DCF contract before necessary arrangements with other PCSs are in place would be a breach of the regulations.

Key issues for PCS Selection

There will inevitably be a number of issues that local authorities will wish to consider in selecting a PCS such as service quality, treatment standards, clear audit and financing trail and provision of data. Below is an illustrative list of questions that local authorities may choose to ask PCS as part of their selection process:

- To what extent do you currently collect enough WEEE to meet your own PCS obligation under the WEEE Regulations?
- Are you able to guarantee that you will continue to collect WEEE from our local authority if you have already met your obligation via other routes?
- To what extent do you currently collect WEEE on behalf of other PCSs?
- What assurance can you offer that in winning this tender you will have necessary arrangements with other PCSs in place prior to our date for collections to commence.
- How do you ensure that your operations meet expected service levels and comply with the DCF Code of Practice?
- How do you manage the order request and service delivery process?
- How do you manage UK Dataflow data reporting?
- How is this data provided to your local authorities?



- How does your scheme address and support the waste hierarchy?
- What is your scheme's approach to and experience of education and awareness raising amongst householders?
- What systems do you have in place to satisfy yourself that your AATFs comply with all relevant waste and environmental legislation?

In addition to above proposed questions Local Authorities should also be mindful of the Code of Practice for the Collection of WEEE from Designated Collection Facilities and the responsibilities it places on them <http://www.bis.gov.uk/assets/biscore/business-sectors/docs/c/10-1007-code-of-practice-collection-weee.pdf> Any queries regarding the information above or the table at Annex A should be directed to envregs@bis.gsi.gov.uk in the first instance.

Yours sincerely

Graeme Vickery
Senior Policy Advisor



Annex A

In balance	
In excess	
Shortfall	

EA Schemes

Name of PCS	LDA A	Cooling B	Display C	Lamps D	Mixed E
A1					
Accerio					
ANOVO					
Advantage Waste Brokers					
B2B Compliance					
B2B WEEE					
Budget Pack					
Clarity					
CCR					
Comply Direct					
DHL					
environCompliance					
Interlevin					
Lumicom					
ERP					
Nilwaste					
Northern Compliance					
Recolight					
Recycle Telecom					
RENE					
REPIC					
Transform					
Valpak					
Veolia					
WE3					
WEEE Light					
WeeeCare					
WEEECOMPLY					
WERCS					



SEPA Schemes

Dataserv					
Electrolink					
Rep Scot Ltd					
Sims Group UK Ltd					
Valpak Scotia					
WEEE Compliance UK					
WEEE Link					

NIEA Schemes

All WEEE Compliance					
WEEE 3R					