

WEEE Directive consultation submission

SERA response to proposals for the implementation of the WEEE directive

1. SERA is the environment campaign group affiliated to the Labour Party. We are a think tank and pressure group on the environment and sustainable development issues. SERA has a specialist working group on energy as well as on other key issues.
2. SERA's membership includes 100+ Labour MPs (6 of them in the Cabinet), members of the Scottish Parliament, Welsh Assembly and Greater London Authority and a range of councillors, trade unionists, academics and environmental professionals.
3. SERA has consulted with external organisations, companies and consultants with a view to providing clear policy and regulatory priorities for the UK government in order to effectively transpose the WEEE directive into UK law.
4. SERA, based on the consultation exercise, is of the opinion that the government must give a clear steer to producers, retailers and Local Authorities in order to provide sufficient market investment. At present there seems to be a lack of information in relation to:
 - I. Division of regulatory responsibilities between DEFRA and the DTI
 - II. Identification of responsibility for collection and take back schemes and infrastructure provision
 - III. The allocation of costs to meet WEEE obligations
 - IV. EEE standardisation and trading in EEE volumes
 - V. Lead in times for implementation

I. Division of regulatory responsibilities between DEFRA and the DTI

SERA noted that views were unanimous on issues surrounding departmental responsibility and the delimitation of responsibility across DEFRA, DTI, the Environment Agency and Local Authorities. There is some concern that departments are not harmonious in prioritising the key issues in relation to WEEE implementation. There should be more effective inter-departmental collaboration.

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II. Identification of responsibility for collection and take back schemes and infrastructure provision

Infrastructure provision (civic amenity sites and existing local government infrastructure) for take back and consumer returns is, in most cases, sufficient to deal with a large percentage of WEEE. Although, in London a number of LA's don't have civic amenity sites. In addition some retailers have organised WEEE collection schemes (although there are some inherent problems at present). Lack of civic amenity site capacity and the immature state of retailer collection schemes will be rectified if sortation fees and registration fees are effectively levied.

The current incapacity for take back schemes could be reformed relatively quickly so long as the regulatory signals to producers, collectors and local authorities are clear. However, SERA is concerned that this will be insufficient if consumers are not encouraged to participate in take back schemes. It was generally felt that doorstep collection schemes would ensure greater consumer participation but are uneconomic without some form of credit mechanism for participating local authorities.

III. The allocation of costs to meet WEEE obligations

Financial arrangements for WEEE are crucial. The WEEE directive is effectively a producer responsibility and 80 - 90% of the costs should be allocated to the producer. However, the collection costs should be allocated to the retailer and possibly local authorities (depending on whether collection credits are reimbursed by retailers and producers). The allocation of permits and the respective fees levied should also consider market distortion. If registration fees set for sortation and recycling companies are too high this will disincentivise efficient recycling practices. Those producers and collectors carrying out sortation and collection themselves should be able to retain any surplus fees.

Establishing clear obligations for collectors and producers will stimulate appropriate investment. Tonnage requirements/targets for recycled materials, defining grades of recycled materials and tonnage targets for the respective grades will allow sufficient market certainty for producers to award recycling contracts based on input tonnages.

Clear regulatory obligations (tonnages and defined graded materials), more effective data on producer volumes and competitive pricing mechanisms (contracts for low grade materials underwritten by national governments) for sortation will establish a market for WEEE.

IV. EEE standardisation and trading in EEE volumes

The standardisation of reprocessed materials is essential in order to allocate permits and ensure intra EU competition for recycled products is not distorted. Creating a market for reprocessed material and low grade WEEE depends on the standardisation and definition of graded materials.

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There is inherent value in much of reprocessed products especially metals. However the bulk of WEEE (70%) is low grade plastic which has a low economic value (10% of reprocessed white good). If sortation fees and registration fees are not set to reflect this recycling facilities will not be encouraged to recycle low grade material.

V. Lead in times for implementation

Lead times for the implementation of an infrastructure network and recycling facilities will be short if the government can set obligations to install market confidence.