9 March 2018

Compliant WEEE recycling

Why making EN 50625 standards legally binding is part of the solution

Q&A

Waste of electrical and electronic equipment (WEEE), such as computers, fridges and cell phones, is one the fastest growing waste streams in the EU and it is expected that 12 million tonnes of WEEE will be generated in the EU by 2020.[1] WEEE is a complex mixture of materials and components that can cause, if not properly managed, major environmental and health problems.

Directive 2012/19/EU on WEEE addresses this issue by setting general requirements for the collection and treatment of WEEE, ensuring the most environmentally friendly recycling possible.

In order to avoid too much divergence in terms of transposition and interpretation, the Directive mandated CENELEC to develop European standards for the treatment, recovery, recycling and preparing for re-use of WEEE.

The EN 50625 series of standards[2] that is nearly completed at CENELEC addresses that challenge. It is meant to become the reference standard for WEEE treatment in Europe.

Key message

Voluntary standards are not enough and partial implementation is not going to solve the issue of unfair competition. As long as the CENELEC standards are not made legally binding and enforced, competition among operators will remain unfair, low quality operations will continue to gain unfair advantage, and the EU will lose out on secondary raw materials, hindering the achievement of a circular economy.

The Directive allows the Commission to adopt implementing acts laying down minimum quality standards based on the standards developed by the European standardisation organisations. Stakeholders are favourable to mandatory standards. What is the Commission waiting for?

[1] European Commission, DG Environment

[2] The term “EN 50625 Series” refers to both the suite of standards and the accompanying Technical Specification documents.

Why do we need legally binding European Standards for WEEE?

Shortly after the entry into force of the recast Directive 2012/19/EU on WEEE, the European Commission mandated CENELEC to develop European standards. Even though the Directive stipulates that WEEE must be treated to an adequate quality level, there remained huge scope for difference in interpretation and measurement. Furthermore, after ten years of WEEE legislation, less than only one-third of the e-waste[3] collected was reported and properly managed.

There are major WEEE flows that 'leak' to other Member States where compliance with the standards is non-existent or not legally required. This situation creates a distortion in the recycling market in the EU, and consequently results in a lower, sub-standard recycling quality throughout Europe.

There is some progress, though. In some Member States, the Directive has been transposed to require WEEE facilities to comply with quality treatment standards. France, the Netherlands, Ireland and Slovenia mandate the use of CENELEC (or WEEELABEX) standards.

The crux of the problem is, however, that the absence of binding standards for WEEE treatment across the EU is distorting recycling markets. Making conformity with the CENELEC EN 50625 standards legally binding, and requiring enforcement, would create a more level playing field, increase the quality of recycling, enable an internal market for WEEE, and consequently go a long way towards achieving the ambitious goals of the circular economy.

What is the purpose of the CENELEC EN 50625 Standards?

The standards both improve the way WEEE is collected and treated and help actors meet the Directive's requirements in a clear and unambiguous way. The standards provide tools for operators to check their level of performance and conformity with the law, so all operators around Europe will understand treatment requirements in the same way.

The standards assist treatment operators in fulfilling the WEEE obligations without placing unnecessary administrative burdens on operators of any size, including SMEs

The standards set requirements for[4]:

- monitoring of treatment and collection processes,
- determination of recovery rates and
- monitoring of depollution for chemical substances

and also include administrative and organisational requirements, concerning:

- a system for management requirements,
- demonstration of continuous improvement,
- legal compliance reporting,
- organisational planning,
- work instructions,
- hazards identification,

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[3] Report: Countering WEEE Illegal Trade (CWIT) Project - 2015

[4] CENELEC, European Standards for Waste Electrical and Electronic Equipment

- and training

Finally, the standards cover treatment of WEEE containing substances of concern, such as cadmium, mercury and polychlorinated bisphenols to ensure depollution takes place in the least harmful way.

What are the consequences of an un-level playing field?

Today the minimum quality requirements of WEEE treatment differ significantly from Member State to Member State. Consequently, WEEE is often shipped to places where treatment is cheaper, quality lower and control non-existent, which not only creates unfair competition for recyclers that do apply better standards but also damages the environment in various ways.

What would be the environmental benefits of legally binding pan-European standards?

If WEEE is not depolluted effectively, hazardous substances are released that pollute the environment.

The United Nations University[5] estimates that an average of 22% of WEEE in Europe is "scavenged", i.e. informal operators dismantle WEEE items in a sub-standard way, keep the most valuable parts and discard other components unsafely, causing significant environmental damage. Two-thirds of waste fridges and air conditioners, in particular, do not reach legitimate recyclers or are scavenged. This leads to an environmental impact equalling the CO_2 emissions of 6,000,000 cars[6] annually.

The CENELEC standards for the treatment of WEEE pay great attention to proper depollution and monitoring of depollution. They also seek to ensure that hazardous substances, such as heavy metals, are treated appropriately in order to prevent damage to the environment or health. The standards specify procedures on how to treat such waste and ensure that depollution takes place in the least harmful way.

Standards allow operators to improve the traceability of fractions resulting from the treatment of WEEE, including hazardous substances. They also provide clear tools to monitor depollution performance, so operators can control and improve the depollution process to meet legal requirements. They improve due diligence amongst the operators in the value chain. In sum, adherence to standards leads to better compliance.

This benefit was confirmed in an impact assessment on behalf of the WEEE Forum and the WEEELABEX Organisation, an accredited Certification Body for the compliance with WEEE standards: The better depollution results of WEEE are a key benefit of high standards.[7]

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[5] Report: Global E-waste Monitor 2017: Full Report

[6] Report: Countering WEEE Illegal Trade (CWIT) Project – 2015: Summary Report

[7] WEEELABEX impact assessment, 13 October 2016

What would be the economic benefit of legally binding pan-European standards?

Fair competition among recyclers. The 22% of WEEE in Europe that is scavenged does not only damage the environment but also business. The UNU estimates that the value of waste that is scavenged and therefore falls outside the legitimate recyclers' reach, amounts to €177,000,000.

The experience of the Netherlands, for example, shows that scrap dealers working in the grey market need a WEEELABEX certificate to remain in business. More WEEE is reported and subject to better treatment, and more taxes are paid. There is no unfair competition if all operators who handle WEEE are registered and follow the rules.

Legally binding standards also create the conditions for fair competition among compliance schemes and manufacturers, as all of them will have to pay for similar quality of treatment.

And finally, the same set of legally binding standards will create economies of scope and stimulate investment in recycling industry.

Collectively, operators who do not adhere to adequate standards annually save an estimated €150 million to €600 million. Clearly, this puts compliance schemes at a disadvantage in the market.[8]

Do the standards increase the costs and administrative burden of recycling?

The standards might initially lead to higher costs as operators will have to make investments to be in compliance with audit requirements. However, the WEEELABEX Impact Assessment indicates that costs are not the main obstacle in the implementation of the standard. Still, operators typically welcome financial support.[9]

Furthermore, being part of the WEEELABEX scheme allows for a considerable reduction of the number of audits. The WEEELABEX Impact Assessment shows that one WEEE system reported that the number of audits fell from 24 to 5.[10]

Could the standards disadvantage smaller operators?

In the WEEELABEX impact assessment WEEE operators reported that they benefited from a better image as environmentally responsible organisations, that they gained more visibility in the market and had more business opportunities thanks to the WEEELABEX certification that is to a large degree equivalent to the CENELEC standards.

Ultimately, quality standards will benefit smaller businesses as they will professionalise their operations.

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[8] Report: Countering WEEE Illegal Trade (CWIT) Project – 2015: Summary Report

[9] WEEELABEX impact assessment, 13 October 2016

[10] WEEELABEX impact assessment, 13 October 2016

Should we really go for a one-size-fits-all EN 50625?

The standardisation work is done within CENELEC, the European committee for electrotechnical standardisation, with the involvement of experts from all the Member States and stakeholders representative of the WEEE value chain.

The process of making standards is transparent and consensus-based. Frequent reviews ensure that the standards reflect the state-of-the-art of technologies and market needs. This process ensures that concerns specific to Member States are taken into account and that the implementation of standards is achievable and realistic in all Member States.

About the WEEE Forum

The WEEE Forum, set up in 2002, is a Brussels-based international not-for-profit association speaking for 36 not-for-profit electrical and electronic equipment waste (WEEE) producer compliance schemes – alternatively referred to as 'producer responsibility organisations' (PRO). The 36 PROs are based in Europe, Australasia and North America: Australia, Austria, Belgium, Canada, Czechia, Cyprus, Denmark, Estonia, Italy, Greece, France, Iceland, Ireland, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. It is the biggest organisation of its kind in the world. In 2016, its member organisations reported collection and proper de-pollution and recycling of 2,100,000 tonnes of WEEE. Members in 2017: Amb3E, ΑΝΑΚΥΚΛΩΣΗ ΣΥΣΚΕΥΩΝ, ASEKOL, Australia New Zealand Recycling Platform, Ecodom, Eco-systèmes, Ecotic, ECOTIC, Ecotrel, EES-Ringlus, EGIO, Electrocyclosis Cyprus, ElektroEko, Elektrowin, El-Kretsen, elretur, Environ, EPRA, Fotokiklosi, Norsirk, Recipo, Recupel, Remedia, RENAS, Repic, Retela, RoRec, SENS e-Recycling, SWICO, UFH, Úrvinnslusjóður, Wecycle, WEEE Ireland, WEEE Malta, WEEE Recycle and Zeos. Contact: info@weee-forum.org. Website: www.weee-forum.org. See also 15 Years On brochure. @ForumWeee More info: Pascal Leroy, pascal.leroy@weee-forum.org