Environmental Audit Committee – follow up questions

1. **Clarity on targets for amounts of e-waste collected – is there are a difference between the UK-wide target and the producer compliance schemes targets? What are these targets and how have they changed since 2012? What are they for the 14 categories?**

It is important to note that irrespective of the targets that are set, the WEEE Regulations provide a guarantee that all LAs will have the costs of dealing with the WEEE deposited at their waste and recycling centres met by producers.

The 2013 Waste Electrical and Electronic Equipment Regulations require the Secretary of State to set the tonnage of household WEEE collections falling within each category of Electrical and Electronic Equipment (EEE) that is to be financed by producers via their membership of a Producer Compliance Scheme (PCS).

These targets are then apportioned to each PCS on a market share basis which provides them the total amount of WEEE for which they should finance collection and proper treatment in each category.

The table below shows the total collection target for each of the 14 categories of WEEE from 2016-2020. In setting these targets a number of factors are considered, not least historical trend data on collections and the average weight of items placed on the market verses the weight of similar items that is discarded as waste. Whilst not a linear comparison, it is also the case that there is a clear link between the volume of equipment placed on the market and that disposed of by consumers. There is also a link between the global scrap metal price and the volume of large household appliances that is returned to the producer responsibility system established by the regulations compared to that collected by the scrap metal sector.

The targets are set by 31 March each year. In 2020 this coincided with the nationwide Covid-19 lockdown. It was impossible to predict what the impact of Covid-19 would have on collections. It was therefore decided to set the 2020 collection targets to be broadly in line with actual household collections in 2019.

	Household collection target (tonnes)				
WEEE Category	**2016**	**2017**	**2018**	**2019**	**2020**
Large household appliances	189,322	232,811	190,171	188,282	185,354
Small household appliances	36,981	39,580	37,589	56,693	34,152
IT and Telecoms equipment	56,762	57,879	51,239	49,334	39,121
Consumer equipment	39,429	43,115	41,308	38,055	24,106

Lighting equipment	0	0	0	0	5,559
Electrical and electronic tools	19,108	20,247	19,337	25,513	24,733
Toys, Leisure and Sports	2,289	2,634	2,377	3,095	4,950
Medical Devices	70	43	26	26	4
Monitoring and Control Instruments	107	243	184	202	1,074
Automatic Dispensers	18	22	1	1	0
Display equipment	68,708	71,267	50,350	48,708	39,495
Cooling Appliances	124,576	148,017	138,891	135,415	134,200
Lamps	6,882	6,132	5,517	5,168	4,553
Photovoltaic panels	90	43	76	87	87
Total	**544,341**	**622,033**	**537,066**	**550,577**	**497,338**

The amount of household WEEE collected by PCSs contribute towards the data submitted to the European Commission to demonstrate compliance with the overall WEEE collection targets laid down in the 2012 WEEE Directive.

Those targets are as follows:
2014-2015 – 4kg her head of population
2016-2018 – 45% of annual amount of equipment placed on the market taken as an average over the previous three years
2019-onwards – 65% of annual amount of equipment placed on the market taken as an average over the previous three years

As set out below in response to question 2, data used to demonstrate compliance with EU targets includes collections of household, non-household and "non-obligated WEEE" reported under the WEEE Regulations and estimates of large domestic appliances collected and properly treated in the light iron waste stream.

2. **Data on the amount of e-waste collected over the past 10 years? How much of that is estimated and how much is actually collected? How is this broken down into the 14 different WEEE categories?**

The annual data on the amount of WEEE collected and reported under the Regulations since 2006 is collected by the Environment Agency and published on their weblink at: https://www.gov.uk/government/statistical-data-sets/waste-electrical-and-electronic-equipment-weee-in-the-uk

This data is broken down by household, non-household and "non-obligated" WEEE. Non-obligated WEEE is that which is processed by treatment facilities approved under the Regulations but where the cost is paid via contracts with other economic operators rather than PCSs. Whether WEEE is household or non-household is determined by looking at the product's design, specification and function to determine whether the product is specifically designed for household or non-household use.

The WEEE Directive requires Member States to provide annual WEEE collected data to the European Commission 18 months after the end of the calendar year. Defra uses the data sources listed above to meet the majority of that annual reporting requirement.

However Article 16 of the Directive requires member states to report on WEEE collected from "all routes", i.e. not just those financed by producers and that "substantiated Estimates" can be used in the data return.

Our report to the Commission therefore includes substantiated estimates of Large Domestic Appliances (e.g. washing machines, cookers, dishwashers) that are separately collected within the light iron waste stream but which is not accounted for in the data collected under the WEEE Regulations. The focus is strictly limited to LDA since we have a high degree of confidence in the figures and that its treatment will reflect the minimum standards set out in the Directive.

We use a methodology which was developed by WRAP and last updated by Valpak Ltd in 2017 to arrive at an estimate of LDA that is collected in the light iron waste stream. That figure is added onto our total collections for LDA.

For 2018 we estimated that 253,726 tonnes of LDA was separately collected in the light iron waste stream contributing to a total WEEE collected figure of 816,397 tonnes.

This represents a collection rate of 54% of equipment placed on the UK market taken as an average over the previous three years.

3. **What is the compliance fee this year per tonne and how has that changed since it was first introduced?**

The compliance fee is calculated on the basis of a formula contained in Regulation 33 of the WEEE Regulations and a methodology which is developed by industry on the basis of economic analysis and submitted to Defra for approval, under Regulation 76 of the WEEE Regulations.

The price per tonne paid by PCSs will vary depending on the category of equipment for which they failed to meet their collection target and the degree to which they fell short of the target.

In recent years the methodology that has been approved has taken as its base the average cost of collections from local authorities. This is because it is widely recognised that collections from local authorities are the most expensive collection route (in comparison for

example, WEEE collected by retailers). An additional uplift has also been applied to those PCSs that collect little or no volumes from local authorities.

The amount each PCS pays is regarded as commercially sensitive and is not information which is held by Defra. However the compliance fee administrator does provide the Environment Agency with a declaration of the amount of tonnage by category that each PCS has financed using the compliance fee mechanism.

4. **What is the total amount collected through the compliance fee this year, and how has that changed per year since the compliance fee was introduced?**

The total raised by the compliance fee in 2019 was £5,757,412. The amount fluctuates each year depending on the methodology and how far short of the targets schemes have fallen in any given category.

5. **What estimates for the level of fraud in the producer compliance fee system do you have?**

Fraudulent activity in the WEEE system can take various different forms. Examples of potential fraud could include inaccurate reporting of EEE placed on the market by producers, inaccurate reporting by AATFs of evidence of treatment issued to PCSs, and non-compliance with producer obligations (free-riding). Common to these types of fraud is the possibility of financial gain, either through avoided cost or illegal profiteering. The Government has acted to reduce the opportunity for inappropriate commercial gain and fraudulent activities arising from the regulations. In particular by introducing new WEEE Regulations in 2013 which sought to reduce the opportunity for "ransom pricing" and "profiteering" that was widely acknowledged as common place under the previous regulations.

The consultation undertaken to inform the Post Implementation Review of the 2013 WEEE Regulations found that 71% of producers felt the revised Regulations had successfully addressed this issue.

We understand that the Environment Agency has been written to separately on this issue and will be providing a separate response to the Committee.

6. **What are the targets for future years' collection and recycling of e-waste?**

Household waste collection targets are set annually in March, under Regulation 28 of the WEEE Regulations.

The Regulations also set out recycling and recovery targets of each category of electronic equipment in Schedule 11 of the WEEE Regulations, which can be found here: https://www.legislation.gov.uk/uksi/2013/3113/schedule/11/made

The issue of setting collection targets is something we will consider as part of the proposed review of the WEEE Regulations next year. This will include consideration of whether

separate targets should be set for that equipment destined for re-use rather than recycling – or whether other measures should be introduced to push material up the waste hierarchy

7. **Which 17 local authorities undertake e-waste kerbside collection and why are these 17 able to but not others? Who pays for that collection and is it effective?**

There are currently 17 local authorities that have received funds from the compliance fee and which currently offer (or are introducing) kerbside collection services for waste electricals. These are listed below:

Mid Devon
Rhondda
Merthyr Tydfil
South Tyne and Wear
East Sussex
Redcar and Cleveland
Torfaen
Swansea
Westminster
Lambeth
Medway
Gloucester
Surrey Waste
Partnership
Mid Sussex
Conwy
Derry and Strabane
Isles of Scilly

These projects are funded by money raised through the Compliance Fee mechanism which support Local Authorities in offering kerbside collection. The compliance fee administrator estimates these initiatives mean that over 3 million households in the UK have access to enhanced doorstep collection services for WEEE.

8. **Is the government planning to add e-waste to the 6 existing waste streams in the environment bill, via statutory instrument or otherwise?**

In reviewing the WEEE Regulations, we plan to consult on proposals to require producers and/or retailers and internet sellers to finance the cost of doorstep collections with a methodology for apportioning the costs of this equitably. If the right incentives are put in place it may not be necessary to introduce mandatory obligations on local authorities.

9. **What is the percentage of CRMs recovered in the UK?**

Neither Defra or the EA collect data on percentage of CRMs recovered in the UK. We do know that specific precious metals are routinely recovered through smelting. Those are

mainly through the recovery of circuit boards that are separated as part of the recycling process that takes place in the UK.

We understand the UK is due to get its first commercial refinery for extracting precious metals from electronic waste, which will also be the world's first to use bacteria rather than cyanide-based processes.

We understand that a New Zealand startup, Mint Innovation, plans to open the facility within 12 months in Cheshire, in the north of England.

10. **Are we able to see the WRAP commissioned research into CRM recovery?**

As far as we understand WRAP has not published a report specifically looking at CRM recovery. The largest European study into this area can be found at http://www.criticalrawmaterialrecovery.eu/wp-content/uploads/2019/02/KTN-Laymans-Report-Final.pdf which may be of interest to the committee.

11. **Is there any investment by the UK Government into high-quality e-waste recycling that is not Energy From Waste?**

All investment into high quality e-waste recycling is commercially financed. In the last 5 years for example we have seen 2 new fridge recycling plants opened in the UK. Regulations governing the treatment of Persistent Organic Pollutants which are commonly found in waste electricals have also spurned a number of businesses to invest in new separation technologies that enable POPs contaminated plastics to be separated from that which can be sold into secondary material markets.

12. **How much e-waste is actually exported via both green and red list from the UK? What are the numbers for used-electronics?**

We understand that the Environment Agency have been written to separately on this matter and will provide a response.

13. **What are the plans for going beyond current minimum warranty and consumer protection?**

In the RWS we committed to exploring the role that guarantees and warranties can play in ensuring products stay in use longer and maintain their value. We will consider options including mandatory disclosure of expected product lifetimes, mandatory extended warranties, and incorporating warranties into labelling, for example a 5 year warranty label. In conjunction with industry and other stakeholders, we will explore reform to consumer rights law and ecodesign legislation to make use of these systems where the market is not delivering the necessary outcomes.

Under UK law, guarantees and warranties are not required to be given, but can be offered as benefits in addition to consumers' rights under the Consumer Rights Act (CRA) 2015.

While some businesses employ this tool, this does not necessarily mean products are designed to be more sustainable. The Ecodesign for Energy-related Products power enables government to mandate resource efficiency eco-design and information requirements that can drive the market towards more durable and repairable products, thus extending product lifetimes and reducing environmental impacts.

14. **Timetables for consultations – will the consultations that were discussed all come together or will the EPR consultation come first?**

It is expected that the consultations on producer responsibility reform will be published in stages throughout 2021. First, we expect to publish a second consultation on extended producer responsibility for packaging, followed by a consultation on reviewing the WEEE Regulations later in the year.